

The background of the cover is a black and white halftone photograph. It depicts a damaged building, possibly a residential structure, with a large, irregular hole in the wall on the left side. The texture of the halftone dots is prominent throughout the image.

Implementation Toolkit on Protection of Civilians from the Use of Explosive Weapons in Populated Areas

November 2025



Implementation Toolkit on Protection of Civilians from the Use of Explosive Weapons in Populated Areas

A guide to the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences of Explosive Weapons in Populated Areas (EWIPA) in policy and operational practice

November 2025

Article36

Airwars

Introduction

This implementation resource was produced and edited by Laura Boillot of Article 36 and Megan Karlshøj-Pedersen of Airwars with input from Stephen Kilpatrick, Richard Moyes, and Emily Tripp. It also draws on workshop reports and briefing papers produced by Simon Bagshaw for Article 36, and Sahr Muhammedally as a co-author of a joint military workshop report between Article 36 and the Centre for Civilians in Conflict (CIVIC). Additionally, the toolkit was inspired by the Civilian Protection Monitor, developed by Airwars and PAX, and draws on its analysis framework and indicators.

This toolkit is a practical implementation resource focused specifically on addressing the humanitarian consequences of the use of explosive weapons in populated areas (EWIPA). It is designed to help states and armed forces translate the commitments of the Political Declaration on EWIPA into concrete measures, policies, and practices that reduce civilian harm and strengthen the protection of civilians in populated areas.

It draws on reflections and recommendations from a series of military workshops and conversations with current and former members of armed forces from different backgrounds. We appreciated the openness and diversity of thinking that they brought to discussions that reflected frankly on both the opportunities and the challenges for implementing the Political Declaration. These workshop discussions, which were held under the Chatham House rule, show the potential and value of cross-sectoral dialogue to enable critical and constructive thinking about how civilian harm might be mitigated in modern conflicts, which so often take place in the midst of civilian life in populated areas.

This toolkit is not intended to suggest agreement or consensus from workshop participants or interviewees on the conclusions or recommendations that it draws.

BACKGROUND

CIVILIAN HARM AND THE USE OF EXPLOSIVE WEAPONS

The civilian death toll remains unacceptably high in modern conflict. Much of the harm is occurring as a result of the increasingly frequent use of explosive weapons, coupled with inadequate civilian harm mitigation.

Beyond deaths and injuries, civilians face displacement, psychological trauma, and loss of livelihoods. Damage to critical infrastructure such as housing, electricity, water, and healthcare systems causes cascading humanitarian effects that extend far beyond the area of attack. Humanitarian access is often severely constrained in areas under bombardment, as aid agencies face restrictions on movement and delivery of relief which exacerbates civilian suffering and hinders life-saving responses.

While current levels of civilian harm partially reflects a disregard, by some parties to conflict, for civilian life and for their obligations under international humanitarian law (IHL), even parties that claim to closely adhere to IHL have caused significant civilian harm in recent conflicts through the use of explosive weapons in populated areas, particularly those delivering munitions with wide area effects.

TECHNICAL CHARACTERISTICS OF EXPLOSIVE WEAPONS¹

Explosive weapons are designed to project blast, heat, and fragments from the point of detonation. Their primary effects originate directly from dispersal of pieces of the munition itself, while secondary effects stem from surrounding materials, such as flying debris, shattered glass, or collapsing buildings. They can result in the death and injury of civilians and severe damage to the built environment.

The overall impact of explosive weapons is significantly shaped by the environment in which they are used. In populated or urban areas, buildings and structures can both shield and amplify blast and fragmentation effects. Walls and obstacles may provide limited protection, yet they can also channel and reflect blast waves, creating complex and unpredictable patterns of destruction. Buildings can protect civilians sheltering inside, yet they can also bury them in rubble if they collapse. Because civilians, infrastructure, and essential services are densely concentrated and interdependent in urban environments, the harm is magnified.

By their very nature, most explosive weapons generate blast and fragmentation effects that can extend over a wide area, making them inherently high-risk for civilians. The likelihood and severity of harm increase when larger explosive weapons are used against comparatively small targets and the area affected extends well beyond the intended target. Particular concern therefore arises over the use,

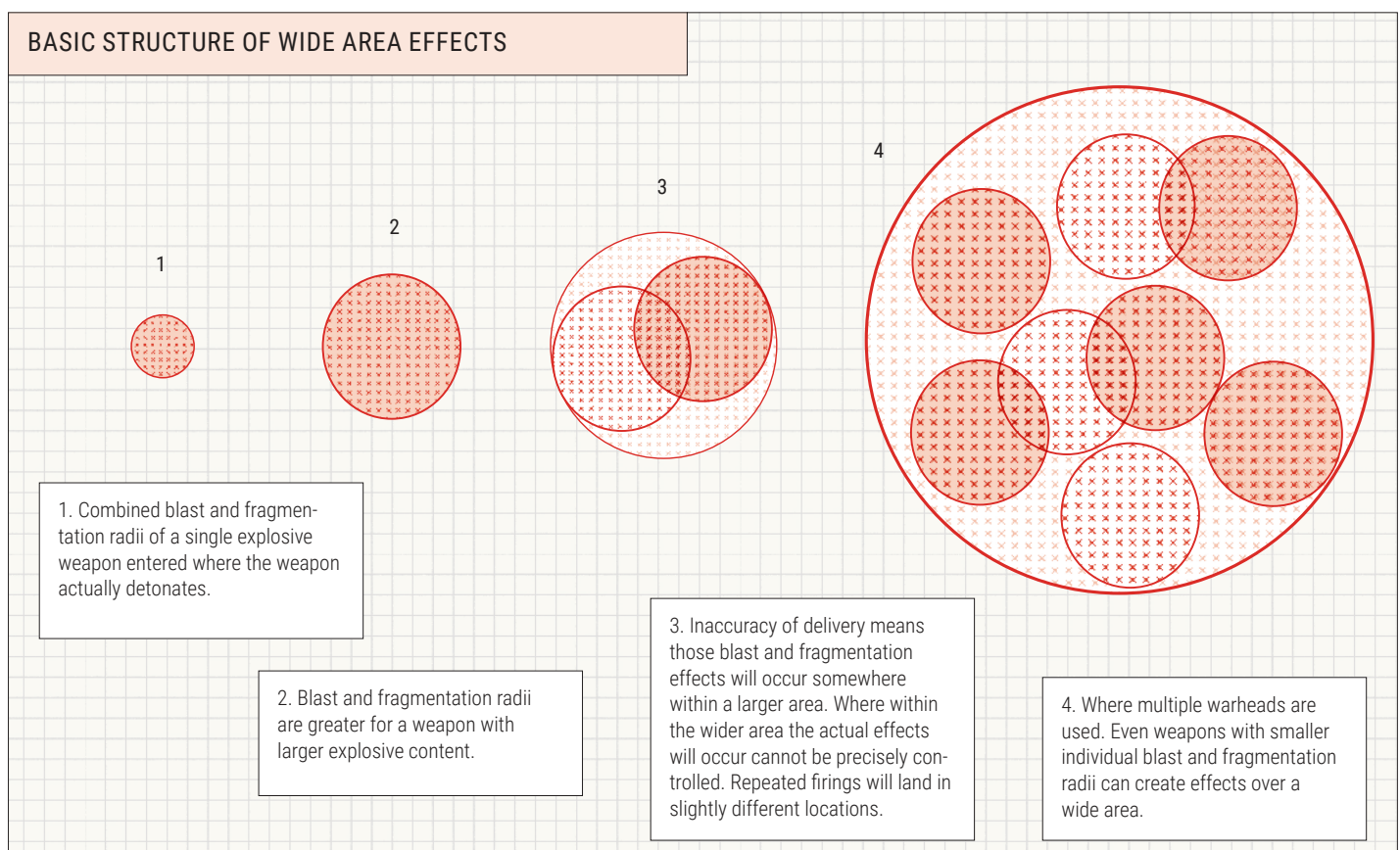
¹ Summarised from: Article 36 and CIVIC (2018), *Report on a workshop examining military policies and practices on the use of explosive weapons in populated areas*

in populated areas, of explosive weapons, either individually or in combination, that possess the following characteristics:

- x **A substantial blast and fragmentation radius** caused by a large explosive content (as in heavy artillery shells, such as those over 105mm, or aircraft bombs);
- x **Inaccuracy of delivery**, meaning the munition may land anywhere within a wide impact area (as in unguided indirect fire systems such as mortar bombs and some artillery shells); and
- x **Use of multiple munitions or salvos** designed to saturate an area (such as multi-barrel rocket launchers).

These effects are often cumulative, with blast and fragmentation effects always present and with inaccuracy of delivery and the use of multiple warheads, where applicable, extending those effects across a wider area.

Many explosive weapons were originally conceived as 'area effect weapons', designed to disperse munitions across a large area to achieve a suppressive effect against an enemy who themselves are often dispersed. These systems were originally developed for use on open battlefields. However, when used in towns, cities, and other populated areas, these same characteristics create a high risk of extensive civilian harm and damage to infrastructure. Some weapon types are inherently unsuited for use in populated areas, and even precision delivery cannot offset the destructive power of large explosive yields.



THE ROLE OF THE POLITICAL DECLARATION IN STRENGTHENING MILITARY POLICY AND PRACTICE

The Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas provides a practical framework for reducing civilian harm in contemporary armed conflicts. It reinforces core international humanitarian law (IHL) obligations of distinction, proportionality, and precautions in attack - while recognising that IHL does not prescribe how specific weapons should be used. The challenge lies in translating these principles into operational guidance/rules and conduct, where choices about weapons, tactics, and targeting can directly impact on the risk of harm to civilians.

The Declaration helps bridge this gap by promoting policies and procedures, employed by some military forces, that link weapon effects to civilian-risk considerations. It recognises that factors such as explosive yield, accuracy, and the number of munitions used shape the scale of harm in populated areas. Through its commitments, the Declaration encourages armed forces to embed these considerations into doctrine, training, and targeting processes to ensure that legal obligations are applied consistently and effectively in practice. The following are the commitments highlighted in the Declaration:

- x **Review and adapt national policy and operational guidance** to align with humanitarian objectives;
- x **Factor both direct and indirect effects on civilians** into the planning and conduct of military operations;
- x **Strengthen measures to protect civilians and critical infrastructure**, including restricting or refraining from the use of explosive weapons in populated areas;
- x **Record, track, and analyse civilian harm** through robust data collection—ideally disaggregated by sex and age—and share findings to inform accountability and continuous improvement.

There are examples where armed forces have voluntarily imposed limitations on the use of certain weapons beyond what is explicitly required by IHL.² Such self-imposed policies have resulted in measurable reductions in civilian harm, demonstrating the potential of proactive adaptation when military practice goes beyond minimum legal obligations. Civilian casualty tracking mechanisms have also been successfully employed by some militaries to better understand the immediate impact of conflict on civilians and to inform the operational planning cycle.

At the same time, many existing policies and tools were not designed to address the specific humanitarian consequences of explosive weapons in populated areas.

2 United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Compilation of Military Policy and Practice: Reducing the Humanitarian Impact of the Use of Explosive Weapons in Populated Areas*, (August 2017).

OPERATIONAL COMMITMENTS IN THE 2022 POLITICAL DECLARATION ON EWIPA

- 3.1 Implement, and, where necessary, review, develop or improve national policy and practice with regard to the protection of civilians during armed conflict involving the use of explosive weapons in populated areas.
- 3.2 Ensure comprehensive training of our armed forces on the application of International Humanitarian Law and on the policies and good practices to be applied during the conduct of hostilities in populated areas to protect civilians and civilian objects.
- 3.3 Ensure that our armed forces adopt and implement a range of policies and practices to help avoid civilian harm, including by restricting or refraining as appropriate from the use of explosive weapons in populated areas, when their use may be expected to cause harm to civilians or civilian objects.
- 3.4 Ensure that our armed forces, including in their policies and practices, take into account the direct and indirect effects on civilians and civilian objects which can reasonably be foreseen in the planning of military operations and the execution of attacks in populated areas, and conduct damage assessments, to the degree feasible, and identify lessons learned.
- 3.5 Ensure the marking, clearance, and removal or destruction of explosive remnants of war as soon as feasible after the end of active hostilities in accordance with our obligations under applicable international law, and support the provision of risk education.
- 3.6 Facilitate the dissemination and understanding of International Humanitarian Law and promote its respect and implementation by all parties to armed conflict, including by non-State armed groups.
- 4.1 Strengthen international cooperation and assistance among armed forces, and other relevant stakeholders, including in the context of partnered military operations, with respect to exchanges of technical and tactical expertise, and humanitarian impact assessments, in order to develop good policies and practices to enhance the protection of civilians, particularly with regard to the use of explosive weapons in populated areas.
- 4.2 Collect, share, and make publicly available disaggregated data on the direct and indirect effects on civilians and civilian objects of military operations involving the use of explosive weapons in populated areas, where feasible and appropriate.
- 4.3 Facilitate the work of the United Nations, the ICRC and relevant civil society organisations collecting data on the impact on civilians of military operations involving the use of explosive weapons in populated areas, as appropriate.

This gap presents an opportunity to adapt national doctrines, targeting frameworks, and training to reflect the distinctive risks of these weapons and the vulnerabilities of urban environments.

SETTING CLEAR OPERATIONAL STANDARDS

Adapting or developing new operational standards that highlight the risk of civilian harm is essential to translate political commitments into concrete military practice. By incorporating these approaches into operations—and, where feasible, avoiding the use of heavy explosive weapons in populated areas—states can significantly reduce civilian harm while strengthening operational effectiveness, upholding humanitarian principles, and reinforcing international standards for responsible military conduct.

States should adopt a clear position on the use of those explosive weapons which have wide area effects in populated areas. These weapons, characterised by inaccuracy, large blast and fragmentation radii, often alongside the delivery of multiple munitions, consistently cause high levels of civilian harm. National doctrine and operational guidance should therefore:

- x **Define restrictions** on the use of specific weapons and munitions in populated areas based on technical understandings, effects and characteristics of weapons and contexts of use;
- x **Strengthen identification** of civilian infrastructure and protected sites prior to strikes;
- x **Track and analyse** civilian harm systematically, using data to adapt policy and practice;
- x **Incorporate training and directives** to ensure operational personnel apply these measures effectively.

Such measures help translate political commitments into clear operational practice, ensuring coherence from strategic to tactical levels. Minimising civilian harm is not only a humanitarian obligation - it is also a strategic and operational imperative. Responsible targeting practices enhance operational effectiveness, strengthen the legitimacy of military operations, and support long-term stability by maintaining civilian trust and cooperation.

Building a culture of civilian protection requires commitment at every level - political, strategic, operational and tactical. Senior political and military leaders must ensure that guidance is embedded in doctrine, orders, and training. The protection of civilians and responsible weapon use are hallmarks of professional armed forces, and all states should regularly review and improve their policies and practices to better protect civilians and sustain operational effectiveness.

PURPOSE OF THE TOOLKIT

1. Support armed forces to integrate specific measures to address the humanitarian concerns arising from the use of explosive weapons in populated areas, into training, doctrine, planning and operational guidance for military operations in urban environments.
2. Support states to embed recognition of the humanitarian concerns arising from the use of explosive weapons in populated areas and civilian protection as a strategic priority in national policy and military doctrine.
3. Provide practical guidance and steps for states to operationalise the EWIPA Political Declaration - from minimal steps to more comprehensive/ambitious developments that can be incrementally implemented over time.
4. Identify specific areas of work related to the core obligations/commitments in the Declaration that will help to drive a reduction in civilian harm from EWIPA in practice (these are listed in the baseline indicators sections)
5. Support incremental operationalisation over time through a phased and flexible approach, recognising that PoC is an area where there is always more that can be done
6. Undertake reviews of national policies and practices within a defined timeframe - such as a two-year framework - to identify gaps, implement improvements, and track progress in reducing civilian harm.
7. Facilitate progressive humanitarian interpretations of key commitments, including restrictions and refraining from use of explosive weapons with wide area effects - as the key preventative measure.

AUDIENCE

This toolkit is designed to support states, armed forces, and partner organisations in implementing the commitments of the *2022 Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (EWIPA)*.

It is particularly intended for:

- x **Departments/Ministries of Defence and Foreign Affairs** – including national focal points for implementation, policymakers, and military or legal advisors.
- x **Armed Forces** – especially senior commanders, doctrine developers, planners, and training staff responsible for integrating EWIPA commitments into practice.

- x **Civil society and international partners** – engaged in supporting, monitoring, and promoting effective measures to strengthen the protection of civilians from the use of explosive weapons in populated areas.
- x **Humanitarian actors and practitioners** – involved in assessing, responding to, and mitigating the humanitarian impacts of explosive weapons.

HOW TO USE THIS TOOLKIT

This toolkit provides practical guidance to help states translate the commitments of the Declaration into concrete action. It is a forward-looking, action-oriented resource designed to support governments, armed forces, and other national stakeholders in reducing and preventing civilian harm from the use of explosive weapons in populated areas.

Rather than focusing on compliance, the toolkit recognises the diversity of national and operational contexts. It offers a flexible framework that can be adapted to different systems, capacities, and priorities, helping states chart their own path toward effective implementation.

The toolkit breaks down the Declaration's commitments into distinct areas of work, each including:

- x **Objectives** that outline the intended outcome;
- x **Indicators** to guide assessment, identify gaps, and measure progress over time;
- x **Suggested actions and steps** for integrating commitments into policy, doctrine, training, data collection, and operations; and
- x **Illustrative examples** drawn from state practice - many identified through the Explosive Weapons Monitor's implementation survey and its responses from endorsing states, as well as recommendations from organisations and other civilian and military institutions.

These components form a menu of options that can be incorporated into national frameworks and operational practice. The indicators are designed for integration into existing processes - such as training, policy development, or operational planning - to strengthen accountability, support monitoring, and enable learning through communities of practice and other states that are part of the Declaration community.

This toolkit is a living resource for states and practitioners seeking practical, context-sensitive ways to operationalise the Declaration's commitments - turning principles into sustained action and measurable progress.

NATIONAL POLICY FRAMEWORKS ON THE PROTECTION OF CIVILIANS

The UN Secretary-General's report on the protection of civilians in armed conflict (2018)³ calls on states to establish national policy frameworks on the protection of civilians in armed conflict. These should promote proactive civilian harm mitigation and accountability across military and political leadership, supported by training, data systems, and clear operational policies.

1. Proactive civilian harm mitigation and response

- x Integrate a proactive approach to civilian harm mitigation into military and institutional policy.
- x Establish accountable leadership and a culture that prioritises civilian protection.
- x Develop dedicated capabilities to track, analyse, respond to, and learn from civilian harm incidents.
- x Ensure joint civilian–military planning for protection of civilians, including in coalition operations.

2. Presumption against the use of explosive weapons with wide-area effects in populated areas

- x Adopt a clear presumption against the use of heavy explosive weapons in towns and cities.
- x Where use is unavoidable, implement specific operational policies detailing:
 - Tactical alternatives to such use;
 - Concrete steps to minimise civilian harm.
- x This presumption reflects both the humanitarian consequences and potential violations of IHL (indiscriminate or disproportionate attacks).

³ United Nations, Protection of Civilians in Armed Conflict: Report of the Secretary-General, S/2018/462, (14 May 2018), annex 1 "Action 1: Develop national policy frameworks on the protection of civilians".

NATIONAL POLICY FRAMEWORKS ON THE PROTECTION OF CIVILIANS (*cont.*)

3. Strengthening civilian protection by partner forces

- x Promote civilian protection and compliance with IHL among partnered and assisted forces.
- x Recognise that supporting partners who violate IHL creates legal, reputational, and strategic risks.
- x Define clear frameworks for engagement, communication, and dialogue with partners.
- x Establish conditions under which assistance would be withheld if partners fail to uphold humanitarian standards.

4. Responsible arms transfers

- x Enact legislation conditioning arms exports on compliance with international humanitarian and human rights law.
- x Require pre-export risk assessments and end-use monitoring to prevent unlawful use.
- x Encourage all States to join and implement the Arms Trade Treaty.

5. Preparing for urban warfare

- x Create specialised urban warfare training schools and expand scenario-based training.
- x Build operational understanding of the complexities and vulnerabilities of urban environments.
- x Ensure military forces are equipped and trained to protect civilians effectively in urban conflict.



Aftermath of missile strike, Aleppo, Syria. © Hannah Smith.

Recommendations

The *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences of Explosive Weapons in Populated Areas* provides a critical opportunity to adapt how conflicts are fought and civilians are protected. The Declaration sets out a practical framework to address the challenges posed by the use of explosive weapons in populated areas to reduce the human cost of urban warfare. With around 90 endorsing states, the focus of work should predominantly be on its practical operationalisation.

The Declaration provides a foundation for coordinated action across government and defence institutions, linking political commitment with practical implementation. The Declaration encourages states to move beyond existing practices and approaches and to make the protection of civilians a central objective in how operations are planned and conducted. Implementing the commitments in the declaration will take sustained effort and time to achieve, but they are essential to reducing harm and realising the Declaration's humanitarian aims.

1. Strengthen national leadership and coordination

States should appoint national focal points and establish strong coordination between Ministries of Foreign Affairs (MFAs), Defence (MODs), and the armed forces. In many endorsing states, limited collaboration between MFAs who negotiated the Declaration and armed forces responsible for putting it into practice, has slowed progress. Reviewing and building genuine buy-in from MODs and armed forces is therefore essential - awareness-raising alone is not enough. The Declaration should be understood not as a political constraint but as a practical framework for strengthening civilian protection and improving operational effectiveness. Its implementation depends on genuine collaboration across government, bringing together defence, diplomatic, and humanitarian actors alongside civil society, to develop a shared plan of action. This collective approach requires clear direction and sustained engagement from senior leaders to ensure the Declaration becomes part of operational priorities and drives real, lasting change.

2. Making explosive weapons in populated areas (EWIPA) a specific policy focus

The Declaration's greatest strength lies in its focus on explosive weapons in populated areas - a specific, actionable area where clear policy change can significantly reduce civilian harm. Yet, nearly three years after its adoption, few states have introduced explicit requirements on use of explosive weapons in populated areas. Many existing, related, policies are broad, addressing civilian protection in general terms or focusing impact reviews on effects on the target or adversaries at the expense of understanding impacts on civilians and the wider environment. Implementation is still at an early stage, but action must begin now. By directing attention to this concrete policy and practice agenda, the Declaration provides a practical tool for measurable improvements in civilian protection.

3. Translate commitments into operational practice

A presumption against the use of explosive weapons with wide area effects in populated areas - promoted by successive UN Secretary-Generals and the ICRC - aligns with the central aim of the Declaration and is the measure most likely to transform outcomes for civilians. Turning this principle into practice depends on national-level operationalisation: embedding it directly within doctrine, targeting policy, and rules of engagement so that it consistently guides operational conduct. While many military policies and procedures already acknowledge, at least implicitly, the link between a weapon's area effects and civilian risk, this understanding should be made explicit and treated as a primary means of harm reduction.

4. Institutionalise civilian harm tracking and operational learning

There is growing recognition of the value and importance of armed forces tracking civilian harm resulting from their military operations. Yet, despite this, most armed forces still do not routinely track or investigate such harm. Militaries and states must proactively engage in dialogue with third parties (such as civil society organisations), and establish mechanisms for trust-based collaborative exercises, to enable such organisations to support efforts on transparency, strengthening data quality, and supporting accountability. Civilian harm tracking is the foundation of all mitigation efforts: understanding the real impact of explosive weapon use is essential to identifying causes and preventing recurrence. States should establish mechanisms to record, investigate, and analyse civilian harm in real time, and ensure that findings are integrated into operational decision-making and lessons-learned processes to drive sustained change. Tracking mechanisms should actively feed into other civilian harm mitigation mechanisms, including investigations and response.

5. Strengthening data-led analysis and technical capacity

Enhancing technical and analytical capacity is central to implementing the Declaration effectively. This means improving understanding of weapon effects - such as blast, fragmentation, and cumulative impacts on civilian systems - and standardising the methods and metrics used to assess and document these effects. A consistent approach to data collection and analysis allows militaries to compare outcomes and adjust practices accordingly.

Analysing civilian harm data helps reveal how and why harm occurs, linking patterns to specific weapons, tactics, and contexts. This understanding can drive concrete measures to reduce harm such as through adjustments to tactical decision making and weapon selection. Building this approach requires technical expertise and clear communication so insights are shared and applied to strengthen humanitarian outcomes to ensure findings are shared, understood, and applied through practical steps to strengthen humanitarian outcomes.

6. Foster multistakeholder partnerships and a community of practice

The Declaration provides a shared platform for states, armed forces, humanitarian and other civil society organisations to work together to reduce civilian harm. Collaboration in this area is not always intuitive - but these differences help build a fuller understanding of how military policies and practices affect civilians and how they can be improved.

States should actively engage in the intersessional programme of work, which connects national implementation efforts through regional and thematic workshops and regular international meetings. This process helps develop practical recommendations, share experiences, and refine priorities. Champion states that lead by example - through developing policies, sharing lessons, and promoting transparency - can help sustain momentum and inspire others to act. Cross-regional cooperation also plays a vital role - enabling states to exchange diverse experiences, adapt successful practices to their own contexts, and sustain momentum.

7. Exercise normative leadership

All endorsing states - whether or not they are currently engaged in military operations - have a vital role in strengthening the global norm against the use of explosive weapons with wide area effects in populated areas. Endorsers should use their collective voice to promote the Declaration's principles across alliances, coalitions, and international forums, and to encourage consistent implementation.

Normative leadership means leading by example: developing and sharing good practice nationally, supporting transparency, and promoting responsible weapon policies. It also means speaking out - critiquing the use of wide-area effect weapons in towns and cities, including by partners and allies. Through such diplomacy and peer influence, endorsing states can reinforce expectations of restraint and contribute to a stronger international standard for civilian protection.



An official from the Kanyabayonga town hall displays shrapnel from an artillery projectile that fell around the town, in southern Lubero territory, North Kivu province, eastern Democratic Republic of Congo, on May 4, 2024.
© Alexis Huguet.

1. Dissemination & promote the Declaration

OBJECTIVE:

States establish focal points to ensure the Declaration - and its specific commitments and actions - are widely understood and supported across government and military institutions nationally and promoted among other states and military allies.

INDICATORS

- 1.1** A national focal point for Declaration implementation is appointed and a coordination group is established.
- 1.2** The declaration is disseminated to all relevant ministries, departments, and branches of the armed forces.
- 1.3** Briefings or awareness sessions are conducted for policymakers and Commanders/senior military leaders.
- 1.4** Public statements or publications are issued affirming national support for the Declaration and issuing clear policy positions on key components of the Declaration.
- 1.5** Outreach is conducted to states that have not yet endorsed the Declaration to promote the aims and purpose of the Declaration and to encourage endorsement

ACTIONS

1. Designate national leadership and coordination mechanisms

- x Appoint a national focal point⁴ to lead implementation and serve as the primary contact for coordination across government. This role should link the Ministries of Defence, Foreign Affairs, Development, and other relevant agencies to ensure coherent engagement and communication on the Declaration's implementation.
- x Establish an inter-ministerial working group or use existing IHL or protection committees as a platform to drive this coordination.
- x Leadership at the political, strategic, and operational levels is essential to ensure that efforts to mitigate civilian harm from the use of explosive weapons is considered a strategic priority. Senior political and military leaders should publicly reaffirm their commitment to the Declaration and issue clear statements of policy intent, ensuring that its objectives are understood as operationally relevant rather than politically imposed. Visible leadership and direction from ministers and commanders are the strongest drivers of buy-in within the armed forces and will help translate the Declaration's principles into doctrine, rules of engagement, and operational orders.⁵
- x Dissemination should extend throughout the armed forces to ensure awareness and integration into daily practice. The Declaration should be framed as a practical framework to strengthen operational effectiveness and protection of civilians, not as a political intrusion or as a fait accompli satisfied by existing measures.

2. Disseminate and translate the Declaration across government and armed forces

- x Once leadership and coordination mechanisms are in place, states should ensure the Declaration is widely disseminated and meaningfully understood across all relevant institutions. This includes translating its commitments into accessible formats and integrating its principles into military education, training, and policy discussions.
- x Dissemination should go beyond circulation of the text: it should build a shared understanding of how the Declaration applies in practice and how it strengthens national approaches to civilian protection. Ministries and armed forces should host joint briefings, workshops, or scenario-based discussions to identify implications for doctrine, targeting policy, and operational planning.

4 Assigning national focal points for the Declaration to lead implementation efforts, including disseminating the Declaration and its objectives within the armed forces as a key recommendation in the 'Troika Outcome statement outcome statement and recommendations for the way forward' issued by Costa Rica, Ireland and Norway at the first international follow-up conference to the adoption of the Declaration, in Oslo, Norway, April 2024.

5 Airwars & Article 36, *Report on a military workshop on the use of explosive weapons in populated areas*, (April 2024)

- X Engagement should be framed as an opportunity to improve operational effectiveness and humanitarian outcomes, rather than as a political requirement. By embedding the Declaration into existing systems of policy development, training, and review, states can ensure its principles are internalised and sustained over time.

3. Conduct Awareness and Engagement Briefings

- X The focal point should hold structured briefings for policymakers, commanders, and staff officers to clarify the Declaration's commitments and terminology (e.g., "restrict and refrain"). The Declaration should be disseminated from strategic through tactical levels to ensure operational understanding and incorporation into operational guidance and directives.
- X Recognise that it may be necessary to conceptualise key terms contained in the Declaration that are not in regular 'military language' such as "restrict and refrain", and other concepts, to address any perceived gaps between high-level policy discussions and operationalisation approaches at the operational and tactical level.⁶⁷

4. Promote leadership, transparency, and public communication

- X Political and military leaders should publicly reaffirm support for the Declaration through statements, parliamentary briefings, and regular progress updates. Visible leadership helps build legitimacy, institutional buy-in, and sustained accountability. States should issue public communications or policy papers outlining national commitments, progress in implementation, and the steps being taken to translate the Declaration's principles into practice. Clear and consistent public messaging reinforces transparency and demonstrates genuine commitment to reducing civilian harm.⁸

5. Promote International outreach and advocacy

- X Engage non-endorsing states through bilateral, regional, and multilateral platforms. Share national experiences, lessons, and best practices to foster a community of practice and reinforce international commitment to reducing civilian harm from explosive weapons.
- X Use multilateral and regional platforms to build an international dialogue on good practice. This should happen both in fora including civil society and academic experts, who bring unique expertise to the table, but peer-to-peer learning can also take place in closed-door settings, to allow for frank discussions on the benefits and challenges of implementation.

6 Article 36, *Oslo Conference Thematic Workshop Summaries - Workshop Summary of Military Policies and Practices*, (April 2024)

7 Federal Ministry Republic of Austria European and International Affairs and Defence, *Vienna Military Workshop Report on the Implementation of the EWIPA Political Declaration*, (January 2024)

8 Airwars & Article 36, *Report on a military workshop on the use of explosive weapons in populated areas*, (April 2024)

- x Direction and leadership among a few champion states will need to be fostered at the international level and through the facilitation of dialogue and collaborative activities where ideas, practices and approaches can be shared over time to build up a community of practice.

EXAMPLES

- x **Austria** has designated focal points in the Ministry of Foreign Affairs and the Ministry of Defence and established an interministerial working group in 2023 to coordinate implementation of the Political Declaration. The Declaration has been disseminated across the defence establishment and translated into German, with an awareness brochure in preparation. Austria approved a national implementation plan and is developing a Protection of Civilians policy with an explicit EWIPA policy to follow. Training on the Declaration has been integrated into legal advisor and pre-deployment courses, and the newly established Centre of Excellence on Protection of Civilians will support continued awareness-raising and implementation within the armed forces.⁹
- x In its *Disarmament and Arms Control Strategy 2024-2026*, **New Zealand** commits to supporting the further uptake and implementation of the Political Declaration on Strengthening the Protection of Civilians from the Use of Explosive Weapons in Populated Areas (EWIPA), especially in the Indo-Pacific region, and to playing an active role in its follow-up process to maintain momentum and ensure implementation by states.¹⁰

⁹ Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

¹⁰ New Zealand, *Disarmament and Arms Control Strategy 2024–2026*, Ministry of Foreign Affairs and Trade, (2024).

2. Develop national policy and practice

OBJECTIVE:

States have clear, accessible, and comprehensive policy frameworks on the protection of civilians from the use of explosive weapons in populated areas. These policies set out the process by which the Declaration's commitments will be implemented across government and armed forces.

INDICATORS

- 2.1** A comprehensive 'baseline' review of national policies and military practices related to explosive weapons and civilian protection is completed to identify existing policy, good practices, and gaps.
- 2.2** The policy review process includes consultations with civil society, ICRC, and the UN.
- 2.3** Clear guidance is issued on how gaps and areas requiring revision will be addressed, including through the development of new policy or doctrine in line with the Declaration's commitments, if required.
- 2.4** Revised or new policy frameworks characterise humanitarian consequences of use of explosive weapons in populated areas, and set out a strategy to mitigate harm, and strengthen protection of civilians.
- 2.5** Revised or new policy frameworks establish a presumption of non-use of explosive weapons with wide-area effects in populated areas.

ACTIONS

1. Conduct a baseline policy and practice review

- x Use implementation of the Declaration to conduct a whole-of-government baseline review of laws, doctrine, policies, procedures, and training relevant to the protection of civilians from the use of explosive weapons in populated areas. Do not assume existing measures contained in the Declaration are already automatically undertaken as part of efforts to implement international humanitarian law or that existing military policy and practice are necessarily adequate in this regard.
- x Include an analysis of good- and best practices identified in policy and practice, as well as a gap analysis comparing current measures against the Declaration's commitments (restrictions, harm tracking, reverberating effects, response).

2. Issue and revise policy guidance

- x Clear guidance is issued on how gaps and areas requiring revision will be addressed, including through the development of new policy or doctrine in line with the declaration's commitments, if required.
- x Based on the review, issue or update government guidance on protection of civilians, including from the use of explosive weapons in populated areas.
- x Allocate sufficient resources, training, and institutional capacity to implement new or revised policies effectively.¹¹
- x Adopt or revise national doctrine, operational policy, rules of engagement, and Commanders' directives to ensure they incorporate the Declaration's principles.
- x This should include doctrine with a presumption of non-use of explosive weapons with wide-area effects in populated areas unless sufficient mitigation measures are in place and senior authorisation is obtained.
- x Ensure political and strategic guidance explicitly prioritises civilian protection and defines success not only by tactical outcomes but also by minimising civilian harm and upholding IHL.
- x Identify the protection of civilians, particularly from the use of explosive weapons in populated areas, as a core objective¹² embedded in national doctrine and policy on the Law of Armed Conflict (LOAC) / IHL. This principle should guide strategy, planning, and decision-making at all levels.

¹¹ Civilian Protection Monitor, Leadership Framework (2024), p1.

¹² Airwars & Article 36, *Report on a military workshop on the use of explosive weapons in populated areas*, (April 2024)

3. Ensure multistakeholder consultation

- x Include consultations with civil society, the ICRC, UN agencies, survivors, and experts to ensure policy reflects humanitarian perspectives and operational realities, while recognising the value of the multi-stakeholder approach that has successfully driven the process of work on this theme and that remains key.¹³
- x Promote regular civil–military dialogue to strengthen coordination and build better collaboration between defence/militaries and civilian authorities and humanitarian organisations. Among other things, states should ensure planners, legal advisers, civilian protection specialists, and intelligence teams routinely coordinate during targeting and planning processes.
- x Include risks to civilians from use of explosive weapons in populated areas (direct and indirect), civilian protection, urban warfare, and civilian harm mitigation and response in training and doctrine refreshers.

4. Update export and transfer controls

- x States should assess arms exports on the basis of compliance with international humanitarian and human rights law as well as adherence to the principles in the Declaration to protect civilians by restricting use of explosive weapons in populated areas.
- x This should be assessed by undertaking pre-export risk assessments and end-use monitoring.

EXAMPLES

- x **The International Committee of the Red Cross (ICRC)** proposes all states and parties to armed conflict to avoid, as a matter of policy, the use of explosive weapons with a wide impact area in populated areas. A policy to ‘avoid’ entails that explosive weapons with a wide impact area should not be used in populated areas unless sufficient mitigation measures are taken to reduce significantly the weapons’ area effects and the consequent risk of civilian harm.¹⁴
- x **Australia’s** Law of Armed Conflict Doctrine and Targeting Doctrine also describe the humanitarian implications of explosive weapons and provide operational guidance to reduce civilian harm during targeting and planning processes.¹⁵
- x **Finland’s** Rules of Engagement prioritise minimising harm to civilian society by requiring positive identification of targets before firing and regulating observed versus unobserved fire.¹⁶

13 Federal Ministry Republic of Austria European and International Affairs and Defence, *Vienna Military Workshop Report on the Implementation of the EWIPA Political Declaration*, (January 2024)

14 ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, (January 2022)

15 Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

16 Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

- x **Norway's Humanitarian Strategy** (2024–2029) recognises that the use of explosive weapons in populated areas causes devastating civilian harm - killing and injuring large numbers of people and destroying essential infrastructure - and commits to prioritising the protection of civilians from such weapons by adapting humanitarian action, policy, and advocacy to address this growing challenge.¹⁷
- x **Switzerland** designated focal points across Defence, Armed Forces, and MFA. Dissemination has included parliament, IHL committees, and doctrine boards. EWIPA is being integrated into doctrine, training, and regulations, with legal reviews incorporating EWIPA since 2018. Training has expanded to cover EWIPA in officer schools, legal advisor courses, and urban warfare modules. A pledge at the 34th ICRC Conference committed Switzerland to an avoidance policy and measurable reforms.¹⁸ Civilian harm mitigation is increasingly embedded across doctrine, weapons reviews, and operational training.
- x In his 2018 report on the *Protection of Civilians in Armed Conflict*, the **United Nations Secretary-General** urged states to adopt national policy frameworks that make civilian protection a core element of military planning and leadership accountability. He specifically recommended a presumption against the use of explosive weapons with wide-area effects in populated areas, except where such use is unavoidable and accompanied by strict measures to minimise civilian harm. This approach reflects recognition of the grave humanitarian consequences and potential violations of international humanitarian law associated with the use of heavy explosive weapons in cities and towns.¹⁹
- x The **United States'** Department of Defense's *Civilian Harm Mitigation and Response Action Plan* (August 2022) outlines a comprehensive approach to prevent, mitigate, and address civilian harm in military operations. It establishes a Civilian Protection Center of Excellence and integrates protection into planning, data systems, and accountability mechanisms. While focused on civilian harm mitigation, the plan does not explicitly reference addressing use of explosive weapons in populated or the Political Declaration.²⁰

17 Norway, *Norway's Humanitarian Strategy 2024–2029*, Ministry of Foreign Affairs, (2023).

18 Switzerland, *War in cities – Pledge*, 34th International Conference of the Red Cross and Red Crescent, 28 October 2024,

19 United Nations, *Protection of Civilians in Armed Conflict: Report of the Secretary-General*, S/2018/462, (14 May 2018), annex 1 "Action 1: Develop national policy frameworks on the protection of civilians".

20 U.S. Department of Defense, *Civilian Harm Mitigation and Response Action Plan (Fact Sheet)*, (August 2022)

3. Operational integration into military doctrine and policy

OBJECTIVE:

Government policy on EWIPA is translated and integrated into military doctrine, targeting, command guidance, and procedures, so that protection of civilians is a strategic consideration at all levels (strategic, operational, tactical) and is demonstrably reflected in planning, decision-making, execution/conduct and post-strike learning.

INDICATORS

- 3.1** EWIPA commitments are integrated into operational guidance, with updated Rules of Engagement (ROE) and targeting directives reflecting civilian-protection requirements.
- 3.2** Standardised mechanisms for estimating civilian harm (e.g. Collateral Damage Estimation (CDE) methodologies and others) are approved and applied across all targeting processes, both pre-planned and dynamic.
- 3.3** Regular post-strike assessments (e.g. Battle Damage Assessments, After Action Reviews, and others) are conducted after every explosive weapon release to analyse the immediate impact on civilians and possible reverberating effects that might occur, with findings feeding into operational guidance and training. These are included in analysis of civilian harm, but do not constitute the civilian harm tracking mechanism itself.
- 3.4** National civilian-harm reporting mechanisms are established, with regular summaries of the number of allegations and the outcomes of investigations shared with parliament and the public.
- 3.5** Institutionalised lessons-learned systems are in place, linking data analysis to updates in doctrine, ROE, and training programmes.

- 3.6** A comprehensive weapons-effects database and inventory review is completed, accessible to planners, and used in weaponeering and targeting.
- 3.7** No-strike list (NSL) and restricted-target policy are established and dynamically updated to protect civilian objects and critical infrastructure. The policy on circulation of information on such lists across the force is routinely reviewed.
- 3.8** Annual doctrinal and policy reviews are conducted, incorporating lessons learned, post-strike analysis, and EWIPA implementation progress.

ACTIONS

1. Build technical understanding of area and other effects of explosive weapons

- x Before operations begin, militaries should undertake technical assessments of the blast, fragmentation, and salvo effects of each explosive weapon in service, and build a standardised database and metrics of these effects, to facilitate uniform pattern analysis of effects. The effects of blast and fragmentation dissipate with distance, fragmentation typically extends further than blast pressure, and both interact unpredictably with built environments.²¹
- x A database, or similar, or weapons-effects data should be available to planners, targeteers, and commanders for use in civilian-harm estimation tools and operational planning, and to support informed decisions on whether particular explosive weapons should be used in populated areas in specific situations.
- x It should be a requirement that assessments of weapon effects are systematically undertaken in all operational contexts.
- x Explosive weapons that present higher risks (e.g. unguided, large yield and inaccurate systems) should be identified as requiring higher level authorisation within chains of Command.
- x For many militaries, risk effects are conceptualised through various methods of assessing distance-based risk. These approaches reflect different ways of quantifying and managing exposure. To support consistent decision-making and effective communication of risk, the adoption of standardised metrics and guidance is recommended. Methods used include:
 - Lethal radius (or kill radius): The area within which any person is likely to be incapacitated or killed due to blast or fragmentation.²²
 - Casualty-producing radius: The wider area within which casualties can be expected.

²¹ Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (2021)

²² The lethal radius for a weapon may be established through an arena fragmentation test which measures the size, velocity, and the spatial distribution of fragments where the fragments penetrate steel target plates. Hyukzae Lee et al., "A Deep Learning-Based Fragment Detection Approach for the Arena Fragmentation Test", 10 *Applied Sciences* (2020) 4744; <https://doi.org/10.3390/app10144744>, in: Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (2021)

- Minimum Safe Distance (MSD): The distance at which munitions are considered safe for friendly forces during training or operations.²³
 - Risk Estimate Distance (RED): Distances corresponding to specific probabilities of incapacitation (e.g. 0.1% or 10%).²⁴
 - Hazardous fragment distance: The point beyond which fragment density is no longer expected to cause serious injury.²⁵
 - Blast overpressure: Assessment of blast over-pressure at varying ranges from the source explosive, setting thresholds at point before eardrum rupture occurs.
- x Having an evidence-based understanding of the effects associated with explosive weapons in different operational configurations is one of the key pillars for estimating likely civilian harm in actual operations.

2. Conduct Article 36 reviews

- x Article 36 reviews are a legal obligation²⁶ for states to assess whether a new weapon, means, or method of warfare is lawful under international humanitarian law before it is acquired or used. Such reviews are crucial in evaluating whether a weapon's foreseeable effects can be limited to military objectives or adequately controlled in time and space.²⁷
- x Reviews should consider:
- The weapon's technical characteristics and destructive effects;
 - The technical performance and area it covers, including its accuracy, reliability, and the targeting mechanism;
 - The likelihood of post-conflict risks to civilians (e.g., failure rates, unexploded ordnance).²⁸

23 Some countries have implemented blast distance thresholds for their soldiers that trigger mandatory screening for traumatic brain injury (TBI). The US military requires all military personnel within 50 meters (indoors or outdoors) of a blast to undergo TBI screening. See Department of Defense, DoD Policy Guidance for Management of Mild Traumatic Brain Injury/Concussion in the Deployed Setting, DoD Instruction 6490.11 (26 November 2019), cited in M. Schmitt and C. Highfill, "Invisible Injuries: Concussive Effects and International Humanitarian Law", 9 Harvard National Security Journal (2018) 86, in: Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (2021)

24 Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (2021)

25 Ibid

26 Article 36 of Additional Protocol I to the 1949 Geneva Conventions, is considered by ICRC to apply to all States, and not just High Contracting Parties to Additional Protocol I.

27 Article 36 of Additional Protocol I stipulates that "In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party." See further: ICRC, *A Guide to the Legal Review of New Weapons, Means and Methods of Warfare Measures to Implement Article 36 of Additional Protocol I of 1977* (2006).

28 Ibid

- x States should extend this process to existing inventories and ensure that findings inform operational restrictions on use in populated areas. In contexts where effects cannot be adequately controlled, the weapon should not be authorised for use in such environments.

3. Centre civilian-harm analysis on the effects of explosive weapons

- x States should make avoiding the use of wide area effect weapons in populated areas a collective political and operational priority, given the severe humanitarian consequences observed in recent conflicts.
- x States should strengthen the protection of civilians by undertaking analysis of how explosive weapons cause harm to civilians and civilian objects, particularly when used in populated areas. Civilian-harm analyses should be centred on weapon effects as key determinants of foreseeable harm, as should decision-making across doctrine, targeting, and policy.²⁹
 - This includes blast and fragmentation effects,³⁰ the impact from structural damage to buildings, and other indirect and reverberating effects,³¹ particularly from weapons with a wide area effect.
- x States should build capacity to differentiate civilian harm ‘events’ to understand causality between specific weapon use and resulting civilian impact.
- x Many militaries already consider area effects a central factor in managing civilian risk, yet this recognition is dispersed across legal, policy, and operational frameworks, obscuring the critical role that limiting area effects plays in civilian protection.³²

4. Integrate CDE methodologies into decision-making

- x A Collateral Damage Estimate (CDE) is a structured process most extensively developed and systematically applied by NATO member states and close partners to assess and minimize the potential for unintended harm to civilians and civilian objects resulting from a planned military attack. It supports commanders in making informed targeting decisions by predicting the likely incidental effects of a strike on surrounding areas.
- x CDE methodologies estimate the level of civilian harm that might occur, taking into account factors such as the weapon’s area effects, the size and distribution of the nearby civilian population, and environmental characteristics like the density and type of surrounding structures. By doing so, they help determine when and how a particular weapon can be used responsibly, especially in populated

²⁹ Article 36 & PAX, *Areas of Harm: Understanding Explosive Weapons with Wide Area Effects* (October 2016)

³⁰ Save the Children International & Imperial College London, *The Paediatric Blast Injury Field Manual*, (2019), and Geneva International Centre for Humanitarian Demining (GICHD), *Explosive Weapon Effects – Final Report: Characterisation of Explosive Weapons (CEW) Project*, (February 2017)

³¹ United Nations Institute for Disarmament Research (UNIDIR), *Menu of Indicators to Measure the Reverberating Effects on Civilians from the Use of Explosive Weapons in Populated Areas*, (2021), and UNIDIR, *Second Menu of Indicators to Measure the Reverberating Effects on Civilians from the Use of Explosive Weapons in Populated Areas*, (2022),

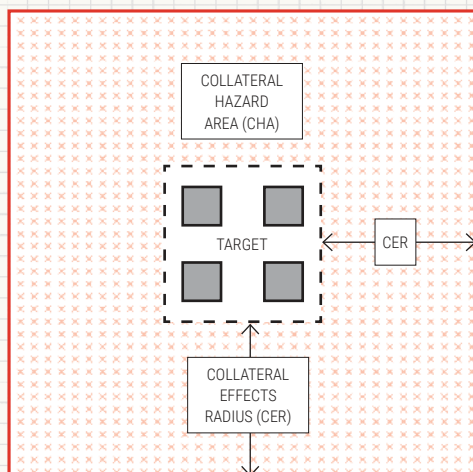
³² Article 36 & PAX, *Areas of Harm: Understanding Explosive Weapons with Wide Area Effects* (October 2016)

areas. The CDE assists commanders in determining whether they have authority to launch an attack against an intended target.³³

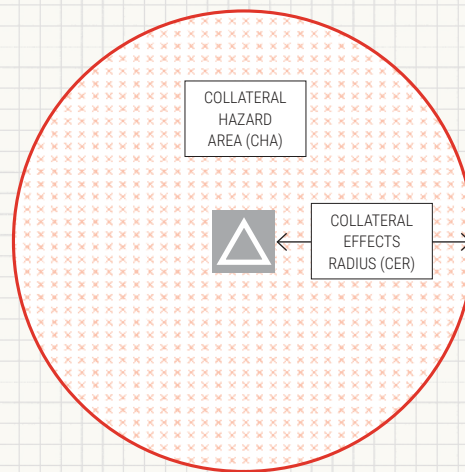
- x Central to this process is the use of a weapon's Collateral Effects Radius (CER) - the maximum distance within which its effects could cause unintended harm, based on predefined acceptable damage thresholds. The CER defines the Collateral Hazard Area (CHA), which extends from the target point and is used to visualize and manage the risk to civilians during targeting decisions.³⁴
- x The CDE provides commanders with a decision-making framework help to evaluate whether the anticipated collateral effects are proportionate to the expected military gain and whether alternative methods or weapons could reduce risk, by answering these 5 questions³⁵:
 1. *Can the target be positively identified?*
 2. *Are there protected objects, non-combatants, or environmental concerns within the effects range of the weapon?*
 3. *Can collateral concerns be mitigated by employing a different weapon or method of engagement?*
 4. *If not, how many non-combatants are estimated to be killed or injured in the attack?*
 5. *Are the collateral effects excessive in relation to the expected military gain?*

EXAMPLES OF THE RELATIONSHIP BETWEEN THE CER AND CHA

A: CHA measured from an installation/facility/target outline



B: CHA measured from an aimpoint



33 ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, (January 2022)

34 Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (October 2021)

35 ARES & ICRC, *Explosive Weapons in Populated Areas: Technical Considerations Relevant to their Use and Effects*, (May 2016)

There are important limitations to CDE methodologies:

- x CDEs are working estimates, not predictions, and depend on assumptions about the operating environment.
- x In built-up areas, where structures amplify and channel blast and fragmentation, CDEs can underestimate effects - and often offer a conservative characterisation³⁶ of the level of risk of civilian harm.
- x They do not have an inherent mechanism to account for secondary explosions, cascading damage, or longer-term reverberating effects such as service disruption, depending instead on commanders to consider their own experience of such effects, leaving it to personal discretion.
- x CDEs can reflect and reinforce biases, including cultural assumptions. For example, if planners shift an airstrike from daytime to nighttime based on the mistaken belief that civilians are unlikely to be present after dark, the CDE rating may be lowered - suggesting reduced civilian risk - even though the strike could still cause substantial harm.
- x CDEs are predominantly used in deliberate targeting, while dynamic or “targets of opportunity” which are often conducted under severe time pressure, receive far less structured assessment.³⁷
- x There is currently no requirement to assess whether a collateral damage estimate (CDE) was accurate, representing a significant weakness in the CDE methodology. Post-strike analyses - typically conducted as battle damage assessments (BDAs) - are methodologically misaligned with the CDE process, making it difficult to compare predicted and actual civilian harm or to integrate lessons learned back into the system.³⁸

To overcome these limitations:

- x CDEs should form one component within a broader framework of methods and approaches used to estimate potential civilian harm during the planning of attacks. They can support commanders’ decision-making and help guide choices toward mitigating civilian risk. However, CDEs should not be regarded as an effective tool for tracking or comprehensively assessing civilian harm.
- x Weapons-effects data should be included as a consideration in CHE/CDE tools to inform weapon choice. Select the least harmful means reasonably available, recognising risks vary by explosive power, accuracy, and volume of munitions used.
- x Forces should develop mechanisms to compare actual outcomes with CDE predictions in order to assess their accuracy and effectiveness. This requires greater alignment between the data captured in pre-strike CDEs and that recorded in post-strike battle damage assessments (BDAs) or after-action reviews (AARs).

36 Chairman of the Joint Chiefs of Staff (CJCS) Instruction, No Strike and the Collateral Damage Estimation Methodology CJCSI 3160.01A (12 October 2012).

37 Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (October 2021)

38 ARES & ICRC, *Explosive Weapons in Populated Areas: Technical Considerations Relevant to their Use and Effects*, (May 2016)

- x Forces should develop mechanisms to compare actual outcomes with CDE predictions in order to assess their accuracy and effectiveness. This requires close alignment between the data captured in pre-strike CDEs and that recorded in post-strike battle damage assessments (BDAs) or reviews.
- x Where CDEs cannot capture full risk, require other parallel methods of analysis to accompany the CDE, such as the use of computer-assisted modelling to predict and mitigate risk (e.g. of loss of essential services scenarios, cascading failures, seasonal sensitivities, and other contextual factors).
- x CDE findings should inform not only strike approval but also broader weapons policy, identifying where the effects of certain munitions exceed acceptable risk thresholds. Lessons from previous strikes and operations should be systematically applied to improve understanding of foreseeable effects and to strengthen targeting practices, rules of engagement, and doctrine. Where feasible, defence ministries should draw on scientific expertise to support the analysis of potential secondary explosions.
- x Ensure CDE and other civilian harm assessments are visible in targeting packages and central to decision-making.

5. Ensure civilian presence and pattern of life are central to operational planning

- x Effective civilian protection in populated areas requires continuous assessment of the presence, behaviour, and movement of civilians to prevent civilian harm. When fighting takes place in populated areas, civilians and combatants/fighters are often intermingling, and civilians find themselves in close proximity to military objectives. Civilian behaviour also changes due to conflict, displacement, and patterns of daily life. To address this, states should:
 - Require pattern of life (PoL) analyses, situated within frameworks of human (not AI-only) evaluation, to inform assessments of civilian risk. These should be undertaken before and during operations. They should integrate reliable and current intelligence on civilian behaviour, incorporating population-density variations, movements such as time-of-day patterns, sheltering habits, vulnerabilities in dynamic urban environments.³⁹
 - PoL analysis conducted before a strike should be continuously measured against BDA/AARs, both where civilian harm occurred and where it was mitigated, to ensure it is accurate and effective at considering risks.
 - Engage diverse subject-matter experts - including anthropologists, sociologists, municipal advisors, religious and community leaders, and local partner forces - to identify cultural and behavioural norms that influence civilian movement and exposure to harm, to prevent misinterpretation of local activities during targeting, and to account for cultural practices that may affect post-strike assessments (for example underreporting of casualties).⁴⁰

³⁹ CIVIC, *A primer on civilian harm mitigation in urban warfare operations*, (June 2022)

⁴⁰ CIVIC, *A primer on civilian harm mitigation in urban warfare operations*, (June 2022)

- Ensure processes are in place to detect and monitor civilian presence up to the moment of a strike - for example, by consistently using transient scans (short, real-time checks of the target area) - so civilians are accurately accounted for in operational planning and targeting decisions.
- Establish culturally-specific baseline assumptions on the likely presence and behaviour of civilians and civilian objects in urban areas - including expected responses to warnings and evacuation orders - but couple these with observation during an attack and always err on the side of caution by assuming civilian presence unless reliably confirmed otherwise.⁴¹
- Ensure robust processes for positive identification of military objectives prior to engagement.

6. Protect civilian objects and critical infrastructure

- x Processes should ensure that information on the presence, value, and function of civilian objects - including critical infrastructure essential to the population - is integrated into targeting decisions, with input from subject-matter experts such as engineers and urban planners, to avoid or mitigate civilian harm during both planned and dynamic attacks.
- x Review and, as necessary, refine current thinking on what constitutes reasonably foreseeable third-order or reverberating effects, taking into account the expanding research base that has improved understanding of their foreseeability, nature and scope.
- x Review and, as necessary, refine military understanding and ability to anticipate reverberating effects resulting from both individual attacks and, importantly, cumulative strikes.
- x Require that information be requested from multiple sources - not only military intelligence, surveillance and reconnaissance (ISR) and include civilian experts (for example engineers on building composition and subsurface utilities) and water, sanitation, and contamination specialists to support assessment of weapons' likely effects.
- x Ensure that information on infrastructure and civilian risk is available and updated throughout operations, not only during planning, to improve targeting decisions and weapon selection, while recognising potential burdens on Commanders and resourcing requirements.

⁴¹ Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (October 2021)

- x Integrate subject-matter experts (engineers, urban planners, infrastructure specialists, medical/public-health and humanitarian advisers) and consult local authorities, community representatives and civil-society actors where practicable, to:
 - map critical infrastructure (power plants, utilities, subterranean conduits);
 - assess structural vulnerability and likely weapons effects; and
 - estimate civilian consequences of service disruption.
- plan for potential displacement and service disruption by pre-positioning mitigation measures (shelter, medical assistance, food, water) and including these contingencies in operational planning.
- x Maintain and regularly update NSLs, no-strike zones, and restricted-target categories covering essential civilian infrastructure (e.g. water, power, sanitation, hospitals, schools, markets, residential areas, and cultural or religious sites). Ensure dissemination to Commanders, cross-checking with targeting lists. Require higher-level authorisation for any removal or modification.
- x Ensure that assessments of potential reverberating and cumulative effects inform determinations of which civilian objects and infrastructure are granted protected status and included on the No-Strike List (NSL).
- x Review available weaponeering and other tactical/technical options that can be used to mitigate reverberating effects, and ensure these options are considered as part of target selection and approval processes.⁴²

7. Urban warfare training for civilian protection⁴³

- x Conduct realistic urban-warfare simulations and scenario-based exercises incorporating civilian presence and infrastructure vulnerability.
- x Use live-fire and digital simulations to demonstrate how blast and fragmentation behave differently in complex environments.
- x Integrate civilian-harm estimation and mitigation into all levels of training, with scenarios where decision-makers face time pressure and post-strike assessment is difficult.
- x Include operational civilian harm mitigation in urban warfare simulations, as well as reports of civilian harm to exercise armed forces' experience in responding to allegations, identifying the cause of harm, and integrating adaptive and responsive mitigation in further operations.

⁴² Recommendations from: Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (October 2021), and Center for Civilians in Conflict & Article 36, *Report on Explosive Weapons in Populated Areas: Policy & Practice Workshop* (2-3 May 2018)

⁴³ Recommendations from Center for Civilians in Conflict & Article 36, *Report on Explosive Weapons in Populated Areas: Policy & Practice Workshop* (2-3 May 2018), October 2018, and Airwars & Article 36, *Workshop Report on Explosive Weapons in Populated Areas*, (April 2024)

8. Translate commitments into Rules of Engagement (ROE) and targeting directives, and post-strike learning

- x Rules of Engagement and targeting directives are key instruments through which legal and policy commitments on civilian protection are turned into concrete operational practice. They should embed clear, enforceable constraints on the use of certain explosive weapons in populated areas and make civilian protection an explicit part of command decision-making.
- x Operational policy should establish a presumption against the use of explosive weapons with wide area effects in populated areas, codified in rules of engagement, targeting guidance, and fire-control orders. Exceptions to this presumption should require senior-level authorisation - preferably above the on-scene Commander. This standard can apply across all operational contexts, including large-scale combat operations (LSCOs), where mitigating civilian harm remains both feasible and essential, as demonstrated in previous conflicts.
- x Ensure that CDE/CHE accompany targeting packages, and that post-strike damage assessments feed back into the development of further ROE and tactical guidance.⁴⁴
- x Ensure that ROE and other rules governing use of specific weapons reflect the scale of a weapon's effects and the level of civilian presence or exposure. This should mean that higher-risk weapons face stricter limits or require higher authorisation.
- x Establish safeguards for strikes under compressed timeframes. When operations are conducted under compressed timelines - particularly in self-defence or dynamic targeting contexts - time pressure can erode situational awareness and mitigation options. To manage this risk:
 - Adopt a minimum standard CHE protocol that delivers basic, verifiable civilian-harm checks prior to engagement.
- x Tactical patience: Apply restraint where feasible - delay engagement to create better options and reduce civilian harm.
- x Integrate post-strike learning into ROE and targeting directives so that they are instruments that evolve through operational experience.
- x Regular cross-mission reviews should assess whether ROE thresholds, authorisation levels, and procedures continue to effectively minimise civilian harm. Findings should inform national doctrine.

9. Operational learning, command culture, and institutional adaptation

- x Protecting civilians in complex and urban environments depends as much on command culture and institutional learning as on formal procedures. Militaries must embed a culture of restraint and reflection - ensuring that civilian-harm learning is systematic, data-driven, and continuous.

⁴⁴ Recommendations from: Article 36, *Implementing the future Declaration on explosive weapons in populated areas: Informing military policy and practice*, (October 2021), and Center for Civilians in Conflict & Article 36, *Report on Explosive Weapons in Populated Areas: Policy & Practice Workshop* (2-3 May 2018)

- X Civilian harm mitigation must feature in Commander's intent statements, operational orders, and assessments of mission success. Commanders should emphasise that mission accomplishment, force protection, and civilian protection are interdependent and that civilian harm undermines strategic outcomes and legitimacy.⁴⁵
- X Personnel should be empowered to raise civilian-harm concerns - even where actions are legally compliant but potentially harmful.
- X Define clear authority levels for decisions on the use of force or specific weapons, linked to the scale of civilian risk. Ensure appropriate oversight mechanisms and require higher-level authorisation for actions such as removing items from no-strike lists.

EXAMPLES:

- X **Belgium** is integrating EWIPA commitments into its doctrine, targeting, and training. The armed forces are updating targeting procedures to include collateral damage estimation and civilian harm awareness, with new Air Force procedures under development. After Action Reviews are routinely conducted to assess operational outcomes and inform updates to guidance and training. A baseline assessment on civilian harm mitigation supports the review of doctrine and Rules of Engagement, while participation in the International Contact Group on Civilian Harm Mitigation facilitates the exchange of good practices and alignment with international standards.⁴⁶
- X **Ecuador** has integrated EWIPA commitments into its Rules of Engagement and Standards of Conduct, introducing restrictions on the use of explosive munitions in populated areas. The Ministry of Defence has issued executive guidelines and training directives to operationalize these measures, supported by workshops and inclusion of Declaration content in academic curricula. Legal and policy frameworks have been updated, including a new Law on Weapons (2024) and revised procedures on the progressive use of force and civil protection. The armed forces are developing collateral damage assessment processes and enhancing training to strengthen civilian protection during operations.⁴⁷
- X **Finland** incorporates EWIPA principles through Rules of Engagement that prioritise minimising harm to civilians, requiring target identification before firing and limiting the use of unobserved fire. Artillery systems log precise fire-control data to support harm mitigation, clearance, and post-operation analysis. EWIPA content is also integrated into IHL training in cooperation with the Finnish Red Cross, ensuring operational awareness of civilian protection in populated areas.⁴⁸

⁴⁵ Airwars & Article 36, *Report on a military workshop on the use of explosive weapons in populated areas*, (April 2024)

⁴⁶ Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

⁴⁷ Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

⁴⁸ Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

- x **Germany** integrates EWIPA-related considerations into doctrine, training, and operational planning through systematic data collection on weapons testing and operational performance. This information is shared across defence institutions and used to inform targeting decisions and model civilian harm risks. Legal and policy reviews are ongoing, and EWIPA is incorporated into military training. Germany's approach emphasizes compliance with international humanitarian law and the use of technical data to support precision and civilian protection in populated areas.⁴⁹
- x **NATO's** *Protection of Civilians Allied Command Operations Handbook* provides guidance for integrating NATO's Policy and Concept on the Protection of Civilians into the planning and execution of operations and missions. It promotes a Protection of Civilians mindset across NATO staff and outlines how related activities can affect operational outcomes and longer-term security dynamics. The handbook is intended for personnel involved in planning and conducting operations at all levels and may also inform work by other international and non-governmental organisations. It recommends that "Military need to take into account the negative wide area effects of explosive weapons in populated and/or urban areas, including foreseeable second and third order effects".⁵⁰

49 Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

50 NATO, *Protection of Civilians Allied Command Operations Handbook* (Mons: Supreme Headquarters Allied Powers Europe, 2021).

4. Restriction measures on weapon use

OBJECTIVE:

Armed forces operationalise measures to avoid and reduce civilian harm by restricting/refraining from the use of explosive weapons in populated areas through operational guidance.

INDICATORS

- 4.1** National policy or military/targeting directives mandate restricting or refraining from use of explosive weapons in populated areas where civilian harm is expected, including a presumption against use in populated areas of explosive weapons with wide area effects
- 4.2** Training programs incorporate technical understanding of effects of weapons (in particular the scale of their area effects) and use of assessment tools for decision-making.
- 4.3** Timely pre-strike assessment analysis is required before authorising explosive weapon use in populated areas.
- 4.4** Procedures exist to assess the likely scale of area effects based on weapon characteristics (e.g., blast/fragmentation radius, accuracy, firing of multiple munitions);

- 4.5** Commander's guidance, statements of intent or rules of engagement include criteria for restricting or refraining from use based on civilian risk and damage to civilian objects.
- 4.6** Evidence of refraining, postponing, modifying weapon choice, or changing weapon choice in response to civilian-harm estimates.
- 4.7** Procedural safeguards for high-risk or time-compressed strikes are developed: e.g. higher-authority authorisation, eyes-on-target requirement, red-card veto authority, and other controls are specified and used.

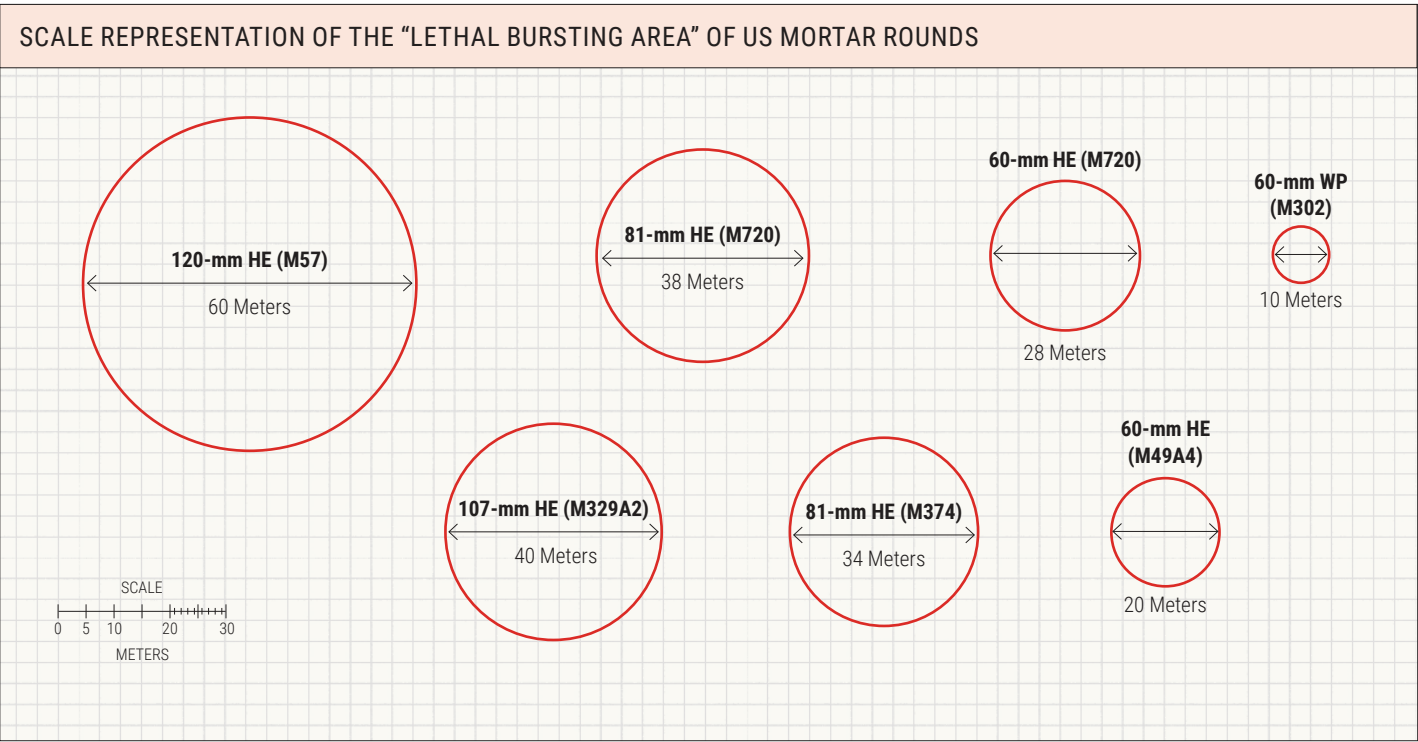
ACTIONS

1. Prohibitions and restrictions on certain systems and modes of use in populated areas

- x This can be enacted in a variety of ways such as prohibitions, or other restrictions through e.g. operational orders to refrain from use of certain explosive weapons systems such as those which are prone to wide area effects (e.g. unguided, large yield and inaccurate systems). For example operational guidance could:
 - Prohibit or refrain from using, in populated areas, explosive weapons when the expected effects of the weapon will extend beyond (outside) the military objective.
 - Prohibit or refrain from using, in populated areas:
 - Unguided air-dropped bombs
 - Multiple-launch rocket systems;
 - Refrain from use of explosive weapons in populated areas if it is not possible to anticipate the indirect effects on essential services with sufficient certainty, or when the indirect effects might be excessive.
 - Require forces to restrict, where feasible:
 - Indirect fire systems, opting instead for direct fire;
 - Munitions with a high explosive payload / large yield/calibre munitions (large yield bombs and missiles, large calibre mortars and other projectiles);⁵¹
 - Area effect weapons (e.g. certain multiple launch rocket systems, large calibre guns and mortars and other area effect weapons against point targets).⁵²
- x These can be applied on an ongoing basis, or in specific contexts of use, e.g. in certain missions or operations.
- x Exceptions should require senior command level authorisation - ideally above the level of the on-scene commander.

⁵¹ ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, (January 2022)

⁵² ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, (January 2022)



MSDS AND REDS FOR COMMON WEAPON SYSTEMS			
Weapon System	MSD (Training)	RED (Combat)	
		0.1 PI	10PI
60mm mortar (M224)	250m	175m	65m
81mm mortar (M252)	350m	230m	80m
120mm mortar (M120/M121)	600m	400mw	100m
105mm artillery (M102/M119)	550m	275m	90m
155mm artillery (M109/M198)	725m	450m	125m
155mm artillery (DPICM)	725m	475m	200m

2. Technical and tactical restrictions and alternatives

Note on capabilities and practical measures. Not all signatory states or forces will have access to the most advanced or lowest-yield munitions. Where possible, however, forces should prioritise weapon-and-employment choices that minimise blast, fragmentation and wider structural damage. Practical measures include:

- X **Use smaller and more accurate munitions** (e.g. smaller payload, low-collateral damage munitions to reduce blast and fragmentation effects, and munitions with greater precision and accuracy). This can also help to reduce wider structural damage on buildings.
- X **Precision:** Use precision munitions with payloads matched to the target, recognising that precision guidance does not automatically prevent large high-explosive effects, secondary effects, or reverberating impacts.⁵³
- X **Salvo controls:** Apply salvo controls (for example caps on rounds/rockets, spacing and mandatory fire-pause checks) to reassess target identity and check for civilian harm.⁵⁴
- X **Fusing:** Select the appropriate fuse to determine where and when the munition detonates (e.g. detonation on impact, airburst, time-delay detonation, point/proximity detonation etc) to reduce or contain the munition's effects, such as if it detonates within a structure.⁵⁵
- X **Angle of attack:** Adjust angle of attack to control the direction and extent of blast and fragmentation debris. Civilian harm will be directly affected by considerations of attack vectors, as damage and debris from an attack will typically be projected in the direction of the attack. By adjusting the attack angle, the spread of damage may be shaped and mitigated.⁵⁶
- X **Timing:** Adjust timing of attacks to decrease the likelihood of civilian presence e.g. prefer off-peak hours when a nearby market or gathering place is closed. Civilian presence can vary significantly by hour, and selecting a window with fewer people can reduce risk of harm.
- X **Safety distances:** Apply safety distances to civilians, akin to distances established for friendly forces - recognising that civilians additionally do not wear body armour or helmets, and can be hit or crushed by falling debris.⁵⁷
- X **Alternatives:** Consider non-kinetic alternatives.

53 CIVIC, *A primer on civilian harm mitigation in urban warfare operations*, (June 2022)

54 UNIDIR, *Opportunities to improve military policies and practices to reduce civilian harm from explosive weapons in urban conflict: An options paper*, (2019)

55 ARES & ICRC, *Explosive Weapons in Populated Areas: Technical Considerations Relevant to their Use and Effects*, (May 2016)

56 ARES & ICRC, *Explosive Weapons in Populated Areas: Technical Considerations Relevant to their Use and Effects*, (May 2016)

57 CIVIC, *A primer on civilian harm mitigation in urban warfare operations*, (June 2022)

3. Ensuring appropriate level of command authority and oversight, and other procedural restrictions

- x **Command structures:** Technical and weapon-oriented policies should be situated within chains of command and frameworks of human evaluation, communication and decision-making.⁵⁸ Authorisation and command-level controls should be commensurate to the level of risk and the type of weapon being considered. Higher command approval should be required for high risk strikes/attacks in populated areas, strikes under compressed timeframes, and authorisation of higher risk explosive weapons.
- x **Written guidance:** Formal guidance and targeting directives should codify explicit restrictions on explosive weapons with wide-area effects in populated areas and set the authorisation levels for any exceptions.
- x **Eyes-on-target:** Require direct and real-time visual of the military objective to help support positive identification and appropriate human evaluation to reduce civilian harm.
- x **Designate 'red-card holders'** within the Target Engagement Authority/target board who have the explicit authority to veto or halt a strike when civilian risk is judged unacceptably high.
- x **Availability planning:** Ensure appropriate munitions are stocked and positioned appropriately to avoid deploying unsuitable systems to urban theatres.

EXAMPLES

- x **Australian** military doctrine on urban operations acknowledges that populated environments pose particular challenges to compliance with International Humanitarian Law (IHL). It recognizes that the presence of civilians may require restrictions on the use of certain explosive weapons, such as high-explosive munitions, and that rules of engagement may preclude or limit the use of air support and indirect fire in populated areas to minimize collateral damage.⁵⁹
- x **Indonesia** has taken initial steps to integrate the principles of the EWIPA Declaration into its operational practices. While no formal doctrine has been adopted, commanders are required to conduct risk assessments that consider civilian presence and potential harm before authorising the use of explosive weapons. This approach aims to reduce civilian harm and guide operational decision-making in populated areas. Ongoing discussions between the Ministry of Defence and the armed forces are focused on updating procedures and doctrine to further align national practice with the Declaration's commitments.⁶⁰

⁵⁸ Airwars & Article 36, *Report on a military workshop on the use of explosive weapons in populated areas*, (April 2024).

⁵⁹ ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, 2022, p. 129.

⁶⁰ Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

- X The **Malawi** Defence Force integrates EWIPA principles into its training doctrine, including instruction on Fighting in Built-Up Areas (FIBUA) and battlefield environment assessment to ensure commanders assess civilian risk and weapon effects before operations. Training emphasizes compliance with international humanitarian law and aims to prevent incidental harm to civilians. In addition, Malawi's weapons procurement policy prohibits the acquisition or use of certain weapons, reflecting efforts to align national defence practices with the Declaration's commitments and Treaty obligations.⁶¹
- X The **Netherlands** has said that it no longer uses unguided air-dropped bombs ("dumb bombs") in populated areas.⁶²
- X **Peru** has reviewed its rules on the use of force and military manuals on international humanitarian law to reinforce standards on proportionality and civilian protection. Commanders are guided to assess potential harm to civilians and civilian objects before authorising the use of explosive weapons and to adjust tactics or weapon selection when necessary. These measures promote restraint in the use of explosive weapons in populated areas and support national implementation of the EWIPA Declaration.
- X The **Philippines'** 2010 military guidelines prohibited the use of aerial, naval, artillery, or mortar fire in populated or urban areas unless the fire missions were closely observed and precautions taken to minimize civilian harm.⁶³ The guidance discouraged operations near populated areas where civilian casualties or material damage were likely, although it was aspirational rather than legally binding and could be overridden by operational necessity.⁶⁴
- X The **San Remo Handbook on Rules of Engagement** promotes consideration of a prohibition on the use of unobserved indirect fire, observed indirect fire or all indirect fire in a number of situations.⁶⁵
- X During the civil war, **Sri Lanka's** Lessons Learnt and Reconciliation Commission (LLRC) noted that policy restrictions were in place regarding the use of certain means and methods of warfare in populated areas, particularly indirect fire, artillery, mortars, and air strikes. Government officials stated that alternative tactics, such as ground operations and smaller arms, were preferred to avoid civilian casualties, although evidence suggested these restrictions were not always followed.⁶⁶

61 Article 36, *Report on a Regional Roundtable on Strengthening the Protection of Civilians from the Use of Explosive Weapons in Populated Areas*, Johannesburg, 27–28 February 2025, October 2025.

62 Panel presentation by the Netherlands at the Oslo Conference on the EWIPA Declaration, April 2024.

63 Explosive Weapons Monitor, *An Assessment of Implementation of the Political Declaration on Explosive Weapons in Populated Areas*, (November 2025)

64 ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, 2022, p. 129.

65 International Institute of Humanitarian Law, *San Remo Handbook of Rules of Engagement*, (2009).

66 ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, 2022, p. 130.

- x During operations in Basra, Iraq, the **United Kingdom's** approach was shaped by the need to minimise both UK and civilian casualties. The city was designated a “restricted fire area” by the commanding officer, placing limitations on the types of weapons and munitions that could be employed within the urban environment.⁶⁷
- x **UN Security Council resolutions** on Syria (S/RES/ 2042 & 2043, 2012) have called for “end the use of heavy weapons in population centres”, and similarly on Cote d'Ivoire (S/RES/1975, 2011) has instructed troops to “prevent the use of heavy weapons against civilians”.⁶⁸

67 Action on Armed Violence, *A Tale of Two Cities: The use of explosive weapons in Basra and Fallujah, Iraq, 2003-4*, (December 2014)

68 Article 36, *Heavy weapons and civilian protection*, (August 2012).



The tail of a 120mm mortar on a street in Donetsk, Ukraine. © Dirk-Jan Visser for PAX and UNOCHA.

5. Civilian harm tracking

OBJECTIVE:

Armed forces institutionalise effective civilian harm tracking mechanisms that inform mitigation efforts, allow for effective recording, assessment, investigation, and response to civilian harm. The data gathered includes the name, sex, and age of those affected and, where possible, such data is made publicly available.

INDICATORS

- 5.1** Armed forces have the capabilities, resources, personnel, and systems needed to systematically collect and analyse allegations of harm to civilians including deaths, injuries, and infrastructure damage.
- 5.2** In tracking allegations of civilian harm, third party reports are reviewed, including those presented by international and national NGOs, international and local media, local communities, and in reports submitted through reporting portals.
- 5.3** The data collected on civilian harm includes the names of those injured, their age, sex, and disability, where feasible.
- 5.4** Data collected includes weapon type, quantity, delivery method, and location of use.
- 5.5** The tracking mechanism is effectively designed to produce meaningful analysis and insights that are used by military leaders to iteratively review tactics or procedures and to promote institutional and operational learning.
- 5.6** Data on civilian harm allegations is shared with the UN, ICRC, and civil society, and made publicly available when feasible.
- 5.7** Civilian harm tracking feeds into a formal approach to investigating and responding to civilian harm. If more information is needed, best practices are followed, for instance by conducting witness interviews and site visits, conditions permitting; publishing summaries/findings where feasible; and protecting the privacy and security of those providing information.
- 5.8** Those responsible for the civilian harm tracking mechanisms have reliable access to accurate information and sufficiently detailed records about military operations (e.g., troop movements, airstrikes, incident reports). Incidents and analyses are archived and easily retrievable years later.

ACTIONS

1. Establish a team focused specifically on mitigating and tracking civilian harm⁶⁹

- x The composition, size, and placement of the team will - and should - vary from state to state, in line with the resources and funding available to its military and the scale and nature of military operations. The team can start small and scale up, depending on the circumstances and the need. Yet the team should be realistically resourced and trained to track civilian harm in the relevant type of context; in modern conflict, this will often include high-tempo urban operations.⁷⁰
- x It is best practice to have a team with the skills, resources, and training to specifically gather, review, and investigate allegations of civilian harm.⁷¹ Where possible, staff in this team should have local language skills of the areas where the state is conducting military operations.

WHAT IS CIVILIAN HARM TRACKING

Civilian harm tracking is a specific military function referring to armed actors' ability to systematically gather data, assess, and analyse a range of negative effects on civilians caused directly or indirectly by its operations. It can refer to a wide set of tools that states use to better track and understand the harm from their own operations, including establishing teams specifically focused on tracking civilian harm, reviewing open-source material on allegations of harm, receiving and processing allegations of harm through reporting mechanisms, and much more.⁷²

The purpose of civilian harm tracking are manifold; beyond the legal and moral obligations to understand the impact of military action, effectively tracking harm to civilians allows for agile adaptations in military operation where needed to decrease harm, while providing further insight on a military's operations / impact. Effectively tracking harm to civilians, and assessing the findings, are the foundations for all other civilian harm mitigation efforts.

2. Develop methodologies and standard operating procedures for tracking civilian harm

- x The teams responsible for civilian harm tracking should develop clear Standard Operating Procedures (SOP), methodologies, and data management systems for collecting, consolidating, and analysing harm based on best practices. These

69 Civilian Protection Monitor, Leadership Framework (2024), p2.

70 CIVIC, *A primer on civilian harm mitigation in urban warfare operations*, (June 2022)

71 CIVIC, *Backgrounder: Tracking Civilian Harm*, (2013).

72 Civilian Protection Monitor, US Country report 2024, (2025), p20.

systems should be institutionalised to ensure continuity and to build institutional knowledge. They should be regularly updated to incorporate lessons learned on civilian harm.

- x This system should be used to investigate all credible allegations of harm.
- x This should include guidance on the kinds of information that should be sought, including, but not limited to, the following.
 - The date and location of the incident which harmed civilians.
 - The number of civilians killed and injured.
 - Disaggregated data on these civilians, including the name, age, and sex, and disability.
 - Impact on infrastructure that is likely to have indirect and reverberating consequences for civilians, such as hospitals, schools, water or sanitation systems, industrial centres, etc.⁷³
 - Information on the weapon used, including weapon type, quantity, delivery method, location/time; contextual notes (pattern of life, proximity to protected sites).
- x It should also include guidance, including a vetting system and triangulation workflow on how to gather and review information, including, but not limited to:
 - Information directly from those affected by the explosive weapon in question, including survivors, eyewitnesses, and those who lost loved ones.
 - Information gathered through a site visit, where possible. Clear guidance should be given to staff on what to look for during such visits, what budget is available for the visits, and how to secure the required security for a site visit.
 - Data available in the public sphere, such as social media posts and local media reporting.⁷⁴ The teams tracking civilian harm should build an understanding of how civilians and others in the relevant context themselves document and upload evidence of harm from explosive weapons. Local populations will have preferred and trusted platforms (e.g. Facebook or Telegram) where they share allegations of harm and important evidence. Understanding this and including relevant data where it is available in open source environments, is critical to ensure civilians' own documentation efforts are not ignored.
 - Information from military sources, including those within the targeting cell, involved in any after-action reviews
- x Analyse civilian harm data to detect recurring patterns and emerging risks, and share these insights across relevant commands and departments through regular internal reporting cycles (e.g. weekly, quarterly, annual).

⁷³ ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, (January 2022)

⁷⁴ Federal Ministry Republic of Austria European and International Affairs and Defence, *Vienna Military Workshop Report on the Implementation of the EWIPA Political Declaration*, (January 2024)

- x There should also be clear guidance on what information to report publicly on individual allegations of harm, including the eventual outcome of assessments/ investigations into such allegations, as well as reporting on the systems used to track civilian harm. This is both to ensure accountability to civilians themselves, and to ensure third-party monitors can include the outcome in their own monitoring reports.

BATTLE DAMAGE ASSESSMENTS ⁷⁵

Many modern militaries conduct post-strike Battle Damage Assessments (BDAs) and rely on these to understand the impact of military airstrikes on civilians in areas of conflict. Yet BDAs are not tools developed to monitor civilian harm – and they do not do so effectively. One study on civilian harm allegations found that ‘during U.S. military operations in Afghanistan in 2010, air-video battle damage assessments missed civilian casualties that were later discovered during ground-led investigations in 19 of 21 cases – more than 90 percent of the time’.⁷⁶ Concerns about this being the primary tool for tracking civilian harm were also raised by operational staff of several militaries in a closed-door workshop organized by Airwars and Article 36 in November 2023.⁷⁷

BDAs are simply not designed as tools to document civilian harm. They are primarily focused on measuring three things: whether a munition functioned as expected, whether the intended target was struck, and the impact on the adversary targeted. If harm to civilians is observed in the immediate aftermath, this might also be included as a note on a BDA. Yet harm to civilians often only becomes apparent in the hours, days and weeks following military actions, when a BDA will already have been completed. When it comes to the reverberating effects of harm to civilians, BDAs are particularly limited as they do not continue to monitor the impact of a given attack or consider its long-term effects. BDAs also often solely rely on visual evidence from fighter jets which may be miles from the target, or high-altitude drones, which cannot hope to capture evidence of civilians caught under structures or rubble.

Conducting BDAs may therefore be a useful tool in terms of measuring effect on an adversary, and may in some cases provide information that should lead to a civilian harm investigation. But they do not, in themselves, constitute a civilian harm tracking or investigations mechanism.

⁷⁵ Airwars, Chapter 1; Preparing for the protection of civilians in large-scale combat operations: a review of current systems in the UK, from ‘Civilian harm mitigation in large-scale combat operations: Lessons for UK Defence’, Ceasefire (2025), p16.

⁷⁶ Michael J. McNerney et al., *Understanding Civilian Harm in Raqqa and Its Implications for Future Conflicts*, Report, RAND, (2022), p. 81.

⁷⁷ Airwars & Article 36, *Report on a Military Workshop on the Use of Explosive Weapons in Populated Areas*, (2024).

3. Ensure civilians and third-party actors can report allegations of civilian harm and submit evidence

- x States should establish mechanisms for civilians and third-party actors to submit allegations of harm and evidence gathered. This is a particularly acute need in campaigns fought primarily through airstrikes and the use of explosive weapons, where there are seldom soldiers on the ground for civilians to report harm to.
- x Reporting mechanisms can take the form of websites or physical forms available to the civilians in areas of operations, for instance in embassies or outposts.⁷⁸
 - It is vital that these are available in a format that is accessible to civilians, including by being available in their own language and in a format that is usable to the majority of civilians in these contexts. It is also vital to consider whether there might be security implications for civilians wishing to report harm, who might for instance be at risk if they are seen to communicate directly with military forces.
 - Ensure that there is a form available with specific fields for the information a military needs to conduct an assessment, while also recognising that civilians should not be expected to deliver perfect documentation and reporting on harm they have experienced.
 - Reporting mechanisms can only work if civilians in the relevant areas are aware of their existence. The existence of the reporting mechanism should be actively promoted in areas where a military is operating.
 - Ensure civilians receive acknowledgement when they report civilian harm - and that they are informed about the eventual outcome of an assessment of harm.
- x Reporting mechanisms are not, in themselves, sufficient to effectively track civilian harm. They should be seen as tools that allow for pieces of evidence to be submitted, not to provide an answer in themselves on what has happened. It is also worth noting that recent websites built for this purpose by US commands have received high numbers of allegations and spam emails from automatic spammers. Yet even when this is the case, the information gathered through reporting mechanisms can be compared to a military's own record of the time and location of weapon deployments. This is a relatively straightforward process to ensure that channels remain open to pieces of evidence that might emerge through such reporting mechanisms.

⁷⁸ PAX, Civilian Protection Monitor, Leadership Framework, 2025, p2; Civilian harm reporting mechanisms, 2022.



A house bombed by the Burmese army in Loikaw that was partly seized by the Karenni Nationalities Defence Force (KNDF) during an offensive in November 2023. © Thierry Falise.

4. Coordinate with allies and coalition partners on civilian harm tracking mechanisms

- x When civilians experience harm from explosive weapons in populated areas, they are unlikely to be able to identify exactly which state was responsible for the harm caused. It is therefore vital that states coordinate with their allies and coalition partners on their respective reporting mechanisms and ensure that these coordinate with any coalition-wide civilian harm tracking tools.
- x Beyond coordination and reporting, civilian harm tracking should form part of a broader institutional learning process aimed at mitigating and preventing future harm. States should establish standing mechanisms within the armed forces to systematically analyse civilian harm data and apply lessons across operations.
- x Militaries should use their own civilian harm tracking mechanisms as a baseline in all operations. If they participate in a coalition that has a more efficient system, the national one can then be used to feed into the wider system. This is an approach increasingly used by The Netherlands, which has recently emphasised, for instance, that while a coalition-wide reporting structure is to be preferred to ease coordination, the national reporting mechanism will be used if a coalition-wide one is not available. Having a clear internal understanding of such a national baseline approach is valuable.

- x Where harm has been reported to a nation, but it has been found that this nation is not responsible based on the time/location of the incident, or other information, nations should ensure that their allies who operated in the same theatre are aware of the allegation, so they may investigate their own possible involvement. Civilians should not be expected to know which nation was responsible for their harm.

5. Ensure civilian harm tracking mechanisms feed into other tools

- x Tracking civilian harm is an important first step in understanding civilian harm from explosive weapons in populated areas.
- x Tracking mechanisms must be designed to be able to feed into a distinct, but essential, component of civilian protection; response. For instance, civilian harm tracking mechanisms must have the capability to go beyond understanding patterns, to also producing referrals, to acknowledgement and compensation mechanisms, where possible. States should also have a mechanism for tracked cases to prompt criminal investigations consistent with national/international law where potential violations may have occurred.⁷⁹
- x Data gathered on civilian harm, including if it becomes clear that a specific type of weapon or tactic is repeatedly causing civilian harm, should feed into iterative operational planning, for instance through updated Rules of Engagement, as well as lessons learning mechanisms. States should not assume that this is being done automatically but instead assign responsibility for picking up on such lessons, for instance by making this part of the civilian harm tracking teams' responsibilities.
- x States should communicate clearly on the level of evidence required for an allegation of harm to be assessed, what level of information is required for it to move to a more in-depth investigation, and what kind of information is required for an allegation of harm to be considered plausible. This is helpful in providing civilians and third-party actors, such as independent monitors, with guidelines on the kind of evidence that is helpful.
- x Militaries should communicate effectively on the civilian harm they have tracked, the outcome of initial assessments or more thorough investigations, and what will happen in terms of response. Disaggregated data should be shared with UN bodies, the ICRC, and civil society organisations.
- x Militaries should document and disseminate both successful mitigation measures and identified shortcomings to drive continuous improvement.

⁷⁹ Civilian Protection Monitor, Leadership framework, 2025, p2

DUTCH CIVILIAN HARM TRACKING - REPORTING PORTALS AND ENGAGEMENT WITH CIVIL SOCIETY

Over the last five years, including since becoming a signatory to the EWIPA declaration in November 2022, the Dutch Ministry of Defence has reformed its approach to many of the civilian harm mitigation and response mechanisms mentioned in the declaration. When it comes to tracking, two developments are particularly notable.

Reporting portal

In December 2024, the Dutch MoD launched a reporting portal on its website, enabling affected civilians and third party organisations to submit allegations of civilian harm directly. While the website is currently only available in English and Dutch, there are plans in place to translate the page into the local languages of the countries where the Dutch military operates.

The MoD public reports on all allegations received, even when it finds that it was not responsible for an airstrike that caused civilian harm. This is done as quickly as possible after an allegation is received. A report on all allegations is submitted to parliament annually.

Comprehensive review with independent conflict monitor

In March 2023, the Dutch MoD released information on all weapon deployments against ISIS in Iraq and Syria. After this release, independent monitoring organisation Airwars reconciled the new data with its list of 2,978 incidents which caused civilian harm in the same campaign. A long list was created from this process, of allegations of civilian harm that had occurred within 24 hours and 15 km of a Dutch airstrikes. Through a rare and constructive dialogue between Airwars and the MoD, the latter reformed and updated their methodology on civilian harm tracking, eventually excluding Dutch involvement in at least 39 incidents of civilian harm. In a further 22 allegations, the MoD determined there was insufficient information to determine whether a Dutch aircraft had caused civilian harm; there is now an ongoing dialogue with civil society actors and experts to determine stronger methodologies for gathering more information in such cases.⁸⁰

⁸⁰ Airwars, Dutch MoD releases results of largest ever assessment of civilian harm allegations from the war against ISIS, (2025).

EXAMPLES

- x In Somalia, the **African Union Mission in Somalia (AMISOM)** integrated civilian casualty tracking into its operations as part of its 2010 indirect fire policy. The mechanism enabled AMISOM to verify allegations of civilian harm and determine responsibility, helping to maintain accountability and public trust. Data from this tracking informed the policy's restrictions on the use of mortars and other indirect fire weapons in populated areas, aiming to reduce civilian casualties during urban engagements.⁸¹
- x The **Belgian** Parliament approved the deployment of Belgian air force planes to the US-led Operation Inherent Resolve and required the Federal Government to publicly report, after investigation and subject to security considerations, any possible civilian casualties resulting from Belgian military operations. The resolution also called for active cooperation and information exchange with external monitoring groups and human rights organizations.⁸²
- x The **G5 Sahel Joint Force** established the Civilian Casualties Identification, Tracking and Analysis Cell (CITAC) in 2021 to improve understanding of the impact of its operations on civilians. The CITAC identifies incidents of civilian harm, analyzes trends over time and by area, and uses this information to enhance tactics, procedures, and operational guidelines. It also serves as a tool to facilitate dialogue with affected civilian populations.⁸³
- x In Afghanistan, the **International Security Assistance Force (ISAF)** established a Civilian Casualty Tracking Cell in 2008 to record and verify reports of civilian harm resulting from military operations. Analysis of the collected data revealed that airstrikes in populated areas were a major cause of civilian casualties. These findings informed subsequent tactical directives that restricted the use of certain air-delivered weapons in urban environments, demonstrating how systematic harm tracking can directly shape operational policy to reduce civilian risk.⁸⁴

81 United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Compilation of Military Policy and Practice: Reducing the Humanitarian Impact of the Use of Explosive Weapons in Populated Areas*, (August 2017).

82 Article 36, *Casualty Tracking and the Political Declaration on the Use of Explosive Weapons in Populated Areas*, (April 2022)

83 Article 36, *Casualty Tracking and the Political Declaration on the Use of Explosive Weapons in Populated Areas*, (April 2022)

84 United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Compilation of Military Policy and Practice: Reducing the Humanitarian Impact of the Use of Explosive Weapons in Populated Areas*, (August 2017).

- x The **New Zealand** Defence Force (NZDF) introduced new rules on responding to civilian casualties through Defence Order 35 (DFO 35), following a 2018 government inquiry into alleged war crimes during Operation Burnham in Afghanistan. The inquiry found that the NZDF had failed to investigate civilian casualty allegations effectively. While DFO 35 does not create a formal casualty-tracking mechanism, it establishes standardized procedures for responding to reports of civilian harm—both critical (such as deaths, injuries, or major damage to infrastructure) and non-critical—and applies to all NZDF personnel, whether deployed overseas or based in New Zealand. The NZDF emphasized that protecting civilians is a strategic priority amid the growing risks of modern warfare.⁸⁵
- x In **Nigeria**, the Air Force has established a Civilian Harm Mitigation and Response Board to implement its Civilian Harm Mitigation Action Plan. The mechanism tracks, analyses, and reports on civilian harm incidents across operations, drawing on both internal and external sources. It aims to institutionalise accountability, refine operational practices, and strengthen transparency in the conduct of air operations.⁸⁶
- x The **United States** has implemented several measures to improve transparency and accountability regarding civilian harm in military operations. A 2016 Presidential Executive Order required U.S. agencies to investigate and report incidents involving civilian casualties and to take steps to prevent their recurrence. Since 2019, the U.S. Department of Defense has published annual reports detailing operations that were confirmed or suspected to have caused civilian casualties. In addition, the Department of Defense has established a public webpage providing contact details for various combatant commands to allow the submission of allegations of harm resulting from U.S. military operations.⁸⁷

⁸⁵ Article 36, *Casualty Tracking and the Political Declaration on the Use of Explosive Weapons in Populated Areas*, (April 2022)

⁸⁶ Nigerian Air Force, "NAF Institutionalises Civilian Protection Measures to Strengthen Operational Accountability and Public Trust", *Nigerian Air Force News*, 8 July 2025

⁸⁷ Article 36, *Casualty Tracking and the Political Declaration on the Use of Explosive Weapons in Populated Areas*, (April 2022); Civilian Protection Monitor, *US Country Report 2024*, (2025).

6. Monitoring progress & evaluating implementation

OBJECTIVE:

States should ensure sustained and consistent implementation, measurement, and incremental improvement through monitoring and reviewing practices, peer learning and self-reporting.

INDICATORS

- 6.1** States appoint a focal point responsible for coordinating the implementation of the EWIPA declaration across ministries and departments within a realistic time-frame, e.g. 2-5 years.
- 6.2** The EWIPA focal point participates in - or oversees - regularly planned reviews of patterns of harm from ongoing conflicts and gathers examples of good practice from tactical alternatives that prevented civilian casualties.
- 6.3** The EWIPA focal point is responsible for regular reporting, including internal reporting to the relevant ministry and armed forces, to the legislative government, and publicly, where possible.
- 6.4** States coordinate with allies and other stakeholders working on the implementation of the EWIPA declaration to disseminate good practices, share concerns, and identify common lessons to address gaps in national policies and practices.

ACTIONS

1. Appoint a focal point responsible for coordinating the implementation of the EWIPA declaration across ministries and departments.

- x States should not assume that implementation of the EWIPA declaration will happen automatically, but instead nominate a person, team, or office, to be responsible for coordinating the implementation across different ministries and the armed forces. The focal point must be given the capabilities, resources, personnel, and systems to coordinate the implementation.

- x The EWIPA focal point should review, and if needed create, systems available to conduct annual self-assessments on the implementation of the EWIPA declaration, and feed into international reporting, including implementation survey responses. This toolkit has been developed to form the basis of such a regular review.

2. Gathering lessons on gaps and good practices

- x To strengthen the process of gathering lessons on gaps and good practices, states should integrate systematic assessments of the area effects of weapons and their interaction with the urban environment. As part of the initial baseline and ongoing reviews, the EWIPA focal point should ensure that military forces assess how the blast radius, fragmentation, and accuracy of particular weapon systems impact civilians and infrastructure in densely populated settings. This includes evaluating whether current operational planning adequately accounts for the urban terrain, building density, and potential reverberating effects on essential services such as water, electricity, and healthcare.
- x Such assessments should draw on data from civilian harm tracking, post-strike analysis, and engagement with humanitarian and technical experts to refine understanding of how weapons perform in real urban contexts. Findings should inform updates to targeting procedures, training curricula, and rules of engagement, ensuring that future operations reflect lessons on minimizing civilian harm. Moreover, documenting instances where forces effectively adapted or chose alternative tactics to reduce area effects should be emphasised as examples of good practice and incorporated into lessons-learned processes.

3. Ensure there is internal and public reporting on implementation of the EWIPA declaration in policy and military practice

- x The EWIPA declaration has a strong focus on the value of transparency to share good practices and address gaps. In light of this, we encourage states to publish key findings and recommendations from baseline reviews, as well as the plan for how gaps will be addressed, including timelines, milestones, and objectives. This should include:
 - **Policy frameworks** that have been examined and updated to align with the Declaration's commitments;
 - **Policies adopted** regarding the assessment of area effects and the restriction of EWIPA use with wide area impacts in populated areas;
 - The establishment or enhancement of **civilian harm tracking mechanisms**, ensuring they are fully operationalized; and
 - **Training programmes** that integrate EWIPA Declaration principles and practical lessons on minimizing civilian harm in urban environments.

4. Strengthen peer learning and international coordination

Meet with other states, allies and organisations working on the implementation of the EWIPA declaration, and wider civilian harm mitigation efforts, on a regular basis to review emerging good practices and identify any relevant additional measures that may need to be taken.

- x Where possible, states should participate in implementation conferences on the EWIPA declaration, and provide open and frank updates.
- x These meetings could include the exchange and compilation of good policies and practices and an exchange of views on emerging concepts and terminology. The United Nations, the ICRC, other relevant international organisations and civil society organisations should continue to participate in these meetings.
- x This can also include further work, including structured intergovernmental and military-to-military exchanges, which may help to inform implementation of the Declaration. One forum for this could be the International Contact Group, which meets biannually to examine implementation of CHMR systems across national contexts. Others small groups could be developed on specific themes.

EXAMPLES:

- x The **Explosive Weapons Monitor**, a research initiative of the International Network on Explosive Weapons (INEW), conducts an informal monitoring and reporting project to track states' progress in implementing the Declaration.⁸⁸ The initiative gathers information through surveys completed by endorsing states, focusing on national efforts, policy developments, and good practices. This process supports the Declaration's emphasis on transparency and information-sharing. The approach aligns with a key recommendation from the Oslo Conference Outcome Document, which encourages states to share regular voluntary updates on implementation and respond to monitoring surveys to support collective progress.⁸⁹
- x The **Netherlands'** Ministry of Defence (MoD) pledged to improve transparency on civilian harm and the MoD has committed to routinely informing Parliament when investigations into possible civilian casualties are undertaken. The Dutch MoD now provides a relatively up-to-date overview on its website of allegations of civilian harm that have been received, including where they are in the review process, the source of the allegation, and whether it has been found likely that Dutch use of force caused civilian harm.⁹⁰

88 International Network on Explosive Weapons (INEW), *Invitation to Respond to State Survey on the Implementation of the Political Declaration*, 2024.

89 Ireland, Norway & Costa Rica. *First international follow-up conference to the adoption of the EWIPA Declaration – Outcome Statement and Recommendations for the Way Forward*. Oslo, 23 April 2024. Troika of Ireland, Norway & Costa Rica.

90 PAX, *Dutch Transparency About Civilian Harm Remains Insufficient*, 2020

BASELINE REVIEWS

In the last 4 years, several major militaries have committed to - and commenced - baseline reviews to examine what policies and practices exist on CHMR and human security, including many elements of the EWIPA declaration - although so far, none are directly on this theme.

The Netherlands commenced such a review in 2023 to examine the level of buy-in for civilian harm mitigation and response, the good practices that exist in the armed forces, as well as gaps to be addressed. Implementation of the EWIPA Declaration is an 'integral' part of this review, which has been conducted primarily by members of the armed forces and is steered by the MoD's Protection of Civilians team. It is expected to be finalised in by end of 2025/early 2026.⁹¹

Similarly, the UK MoD is currently undertaking a Baseline review of its 12-year Human Security Strategy, much of which echoes commitments made in the EWIPA declaration (although without necessarily referencing it or this theme of work). While shorter in time-frame and smaller in scope than the Dutch review, this has included consultation with both civil society and a wide series of stakeholders across the armed forces. It is being conducted by an external consultant to the MOD, who has experience in the armed forces. It is expected to be published by the end of 2025/early 2026.⁹²

Belgium is also developing a baseline assessment through its Strategic Department to evaluate implementation of civilian protection at all levels of the armed forces and identify areas for improvement.

⁹¹ Civilian Protection Monitor, Country Report for the Netherlands 2024, (2025)."

⁹² Civilian Protection Monitor, Country Report for the UK 2024, (2025)

Summary of Indicators

EWIPA – OPERATIONALISING THE DECLARATION TO AVOID CIVILIAN HARM FROM USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS

1. DISSEMINATE AND PROMOTE THE DECLARATION

OBJECTIVE:

States establish focal points to ensure the Declaration - and its specific commitments and actions - are widely understood and supported across government and military institutions nationally and promoted among other states and military allies.

INDICATORS

- 1.1 A national focal point for Declaration implementation is appointed and a coordination group is established.
- 1.2 The declaration is disseminated to all relevant ministries, departments, and branches of the armed forces.
- 1.3 Briefings or awareness sessions are conducted for policymakers and Commanders/senior military leaders.
- 1.4 Public statements or publications are issued affirming national support for the Declaration and issuing clear policy positions on key components of the Declaration.
- 1.5 Outreach is conducted to states that have not yet endorsed the Declaration to promote the aims and purpose of the Declaration and to encourage endorsement

2. DEVELOP NATIONAL POLICY AND PRACTICE

OBJECTIVE:

States have clear, accessible, and comprehensive policy frameworks on the protection of civilians from the use of explosive weapons in populated areas. These policies set out the process by which the Declaration's commitments will be implemented across government and armed forces.

INDICATORS

- 2.1 A comprehensive 'baseline' review of national policies and military practices related to explosive weapons and civilian protection is completed to identify existing policy, good practices, and gaps.
- 2.2 The policy review process includes consultations with civil society, ICRC, and the UN.
- 2.3 Clear guidance is issued on how gaps and areas requiring revision will be addressed, including through the development of new policy or doctrine in line with the Declaration's commitments, if required.
- 2.4 Revised or new policy frameworks characterise humanitarian consequences of use of explosive weapons in populated areas, and set out a strategy to mitigate harm, and strengthen protection of civilians.
- 2.5 Revised or new policy frameworks establish a presumption of non-use of explosive weapons with wide-area effects in populated areas.

3. OPERATIONAL INTEGRATION INTO MILITARY POLICY AND PRACTICE

OBJECTIVE:

Government policy on EWIPA is translated and integrated into military doctrine, targeting, command guidance, and procedures, so that protection of civilians is a strategic consideration at all levels (strategic, operational, tactical) and is demonstrably reflected in planning, decision-making, execution/conduct and post-strike learning.

INDICATORS

- 3.1 EWIPA commitments are integrated into operational guidance, with updated Rules of Engagement (ROE) and targeting directives reflecting civilian-protection requirements.

- 3.2 Standardised mechanisms for estimating civilian harm (e.g. Collateral Damage Estimation (CDE) methodologies and others) are approved and applied across all targeting processes, both pre-planned and dynamic.
- 3.3 Regular post-strike assessments (e.g. Battle Damage Assessments, After Action Reviews, and others) are conducted after every explosive weapon release to analyse the immediate impact on civilians and possible reverberating effects that might occur, with findings feeding into operational guidance and training. These are included in analysis of civilian harm, but do not constitute the civilian harm tracking mechanism itself.
- 3.4 National civilian-harm reporting mechanisms are established, with regular summaries of the number of allegations and the outcomes of investigations shared with parliament and the public.
- 3.5 Institutionalised lessons-learned systems are in place, linking data analysis to updates in doctrine, ROE, and training programmes.
- 3.6 A comprehensive weapons-effects database and inventory review is completed, accessible to planners, and used in weaponeering and targeting.
- 3.7 No-strike list (NSL) and restricted-target policy are established and dynamically updated to protect civilian objects and critical infrastructure. The policy on circulation of information on such lists across the force is routinely reviewed
- 3.8 Annual doctrinal and policy reviews are conducted, incorporating lessons learned, post-strike analysis, and EWIPA implementation progress.

4. RESTRICTIONS ON EXPLOSIVE WEAPONS USE

OBJECTIVE:

Armed forces operationalise measures to avoid and reduce civilian harm by restricting/refraining from the use of explosive weapons in populated areas through operational guidance.

INDICATORS

- 4.1 National policy or military/targeting directives mandate restricting or refraining from use of explosive weapons in populated areas where civilian harm is expected, including a presumption against use in populated areas of explosive weapons with wide area effects
- 4.2 Training programs incorporate technical understanding of effects of weapons (in particular the scale of their area effects) and use of assessment tools for decision-making.

- 4.3 Timely pre-strike assessment analysis is required before authorising explosive weapon use in populated areas.
- 4.4 Procedures exist to assess the likely scale of area effects based on weapon characteristics (e.g., blast/fragmentation radius, accuracy, firing of multiple munitions);
- 4.5 Commander's guidance, statements of intent or rules of engagement include criteria for restricting or refraining from use based on civilian risk and damage to civilian objects.
- 4.6 Evidence of refraining, postponing, modifying weaponeering, or changing weapon choice in response to civilian-harm estimates.
- 4.7 Procedural safeguards for high-risk or time-compressed strikes are developed: e.g. higher-authority authorisation, eyes-on-target requirement, red-card veto authority, and other controls are specified and used.

5. CIVILIAN HARM TRACKING

OBJECTIVE:

Armed forces institutionalise effective civilian harm tracking mechanisms that inform mitigation efforts, allow for effective recording, assessment, investigation, and response to civilian harm. The data gathered includes the name, sex, and age of those affected and, where possible, such data is made publicly available.

INDICATORS

- 5.1 Armed forces have the capabilities, resources, personnel, and systems needed to systematically collect and analyse allegations of harm to civilians including deaths, injuries, and infrastructure damage.
- 5.2 In tracking allegations of civilian harm, third party reports are reviewed, including those presented by international and national NGOs, international and local media, local communities, and in reports submitted through reporting portals.
- 5.3 The data collected on civilian harm includes the names of those injured, their age, sex, and disability, where feasible.
- 5.4 Data collected includes weapon type, quantity, delivery method, and location of use.
- 5.5 The tracking mechanism is effectively designed to produce meaningful analysis and insights that are used by military leaders to iteratively review tactics or procedures and to promote institutional and operational learning.

- 5.6 Data on civilian harm allegations is shared with the UN, ICRC, and civil society, and made publicly available when feasible.
- 5.7 Civilian harm tracking feeds into a formal approach to investigating and responding to civilian harm. If more information is needed, best practices are followed, for instance by conducting witness interviews and site visits, conditions permitting; publishing summaries/findings where feasible; and protecting the privacy and security of those providing information.
- 5.8 Those responsible for the civilian harm tracking mechanisms have reliable access to accurate information and sufficiently detailed records about military operations (e.g., troop movements, airstrikes, incident reports). Incidents and analyses are archived and easily retrievable years later.

6. MONITORING PROGRESS AND EVALUATING IMPLEMENTATION

OBJECTIVE:

States should ensure sustained and consistent implementation, measurement, and incremental improvement through monitoring and reviewing practices, peer learning and self-reporting.

INDICATORS

- 6.1 States appoint a focal point responsible for coordinating the implementation of the EWIPA declaration across ministries and departments within a realistic time-frame, e.g. 2-5 years.
- 6.2 The EWIPA focal point participates in - or oversees - regularly planned reviews of patterns of harm from ongoing conflicts and gathers examples of good practice from tactical alternatives that prevented civilian casualties.
- 6.3 The EWIPA focal point is responsible for regular reporting, including internal reporting to the relevant ministry and armed forces, to the legislative government, and publicly, where possible.
- 6.4 States coordinate with allies and other stakeholders working on the implementation of the EWIPA declaration to disseminate good practices, share concerns, and identify common lessons to address gaps in national policies and practices.



This picture taken from Gaza City shows smoke billowing in the background after an Israeli strike in the north of the Palestinian territory on December 29, 2024 © Omar Al-Qattaa.

The Political Declaration on Strengthening the Protection of Civilians Arising from the Use of Explosive Weapons in Populated Areas

PART A: PREAMBLE

SECTION 1

- 1.1 As armed conflicts become more protracted, complex, and urbanised, the risks to civilians have increased. These risks are a source of major concern and they must be addressed. The causes of these risks involve a range of factors, including the use of explosive weapons in populated areas, and pose complex challenges for the protection of civilians.
- 1.2 The use of explosive weapons in populated areas can have a devastating impact on civilians and civilian objects. The risks increase depending on a range of factors, including the weapon's explosive power, its level of accuracy, and the number of munitions used.
- 1.3 Blast and fragmentation effects and resulting debris, cause deaths and injuries, including lifelong disabilities. Beyond these direct effects, civilian populations, particularly children, are exposed to severe and long-lasting indirect effects – often referred to as reverberating effects. Many of these effects stem from damage to or destruction of critical civilian infrastructure.
- 1.4 When critical civilian infrastructure, such as energy, food, water and sanitation systems, are damaged or destroyed the provision of basic needs and essential services, such as healthcare and education are disrupted. These services are often interconnected and, as a result, damage to one component or service can negatively affect services elsewhere, causing harm to civilians that can extend far beyond a weapon's impact area.
- 1.5 The damage and destruction of housing, schools, hospitals, places of worship and cultural heritage sites further aggravates civilian suffering. The environment can also be impacted by the use of explosive weapons, through the contamination of air, soil, water, and other resources.
- 1.6 The use of explosive weapons in populated areas can also result in psychological and psychosocial harm to civilians. The direct and indirect effects often result in the displacement of people within and across borders, and have a severe impact on progress towards the Sustainable Development Goals. Unexploded ordnance impedes humanitarian access, the return of displaced persons and reconstruction efforts, and causes casualties long after hostilities have ended.
- 1.7 Many armed forces already implement policies and practices designed to avoid, and in any event minimise, civilian harm during hostilities. These can help armed forces to better understand the anticipated effects of explosive weapons on a military target and its surrounding areas, as well as the associated risk to civilians in populated areas. However, there is scope for practical improvements to achieve the full and universal implementation of, and compliance with, obligations under International Humanitarian Law, and

the application and sharing of good policies and practices. Broadening and strengthening initiatives designed to share policies and practices on protecting civilians can support the promotion and better implementation of International Humanitarian Law.

- 1.8 We recognise the importance of efforts to record and track civilian casualties, and the use of all practicable measures to ensure appropriate data collection. This includes, where feasible, data disaggregated by sex and age. When possible, this data should be shared and made publicly available. Improved data on civilian harm would help to inform policies designed to avoid, and in any event minimise, civilian harm; aid efforts to investigate harm to civilians; support efforts to determine or establish accountability, and enhance lessons learned processes in armed forces.
- 1.9 We stress the imperative of addressing the short and long-term humanitarian consequences resulting from armed conflict involving the use of explosive weapons in populated areas. We welcome the on-going work of the United Nations, the International Committee of the Red Cross (ICRC), and civil society on the impacts and humanitarian consequences arising from the use of explosive weapons in populated areas.
- 1.10 We also welcome work to empower, amplify, and integrate the voices of all those affected, including women and girls, and we encourage further research into the gendered impacts of the use of explosive weapons.

SECTION 2

- 2.1 We reaffirm our obligations under applicable international law, including International Humanitarian Law and International Human Rights Law, and related commitments. These include our obligations to hold accountable those responsible for violations, and our commitment to end impunity.
- 2.2 Existing International Humanitarian Law provides the legal framework to regulate the conduct of armed conflict. It is applicable to the use of explosive weapons in all situations of armed conflict, and to all parties to an armed conflict, including both State and non-State armed groups. We stress the importance of full compliance with International Humanitarian Law as a means to protect civilians and civilian objects and to avoid, and in any event minimise, civilian harm when conducting military operations, in particular within populated areas.
- 2.3 We recall the obligations on all parties to armed conflict to comply with International Humanitarian Law under all circumstances, including when conducting military operations in populated areas. We recall in particular the obligation to distinguish between combatants and civilians as well as between civilian objects and military objectives at all times in the conduct of military operations, and to direct attacks only against military objectives. We recall

further the prohibitions against indiscriminate and disproportionate attacks, and the obligation to take all feasible precautions in attack and against the effects of attacks. We also recall the obligations under International Humanitarian Law related to the general protection of civilians against dangers arising from military operations, and allowing and facilitating rapid and unimpeded passage of humanitarian relief for civilians in need.

- 2.4 We condemn tactics designed to exploit the proximity of civilians or civilian objects to military objectives in populated areas, as well as the use of improvised explosive devices directed against civilians or civilian objects, and other violations of International Humanitarian Law, including by non-State armed groups, which further exacerbate the risks to civilians and are of grave concern.
- 2.5 While there is no general prohibition against the use of explosive weapons, any use of explosive weapons must comply with International Humanitarian Law.
- 2.6 We strongly condemn any attacks directed against civilians, other protected persons and civilian objects, including civilian evacuation convoys, as well as indiscriminate shelling and the indiscriminate use of explosive weapons.
- 2.7 We welcome the work of the United Nations Security Council and the General Assembly to strengthen the protection of civilians during armed conflict and to strengthen compliance with International Humanitarian Law. In this regard, we recall UNSC and UNGA Resolutions dealing with the protection of civilians in armed conflicts.

PART B: OPERATIVE SECTION

Committed to strengthening the protection of civilians and civilian objects during and after armed conflict, addressing the humanitarian consequences arising from armed conflict involving the use of explosive weapons in populated areas, and strengthening compliance with and improving the implementation of applicable International Humanitarian Law, we will:

SECTION 3

- 3.1 Implement, and, where necessary, review, develop or improve national policy and practice with regard to the protection of civilians during armed conflict involving the use of explosive weapons in populated areas.
- 3.2 Ensure comprehensive training of our armed forces on the application of International Humanitarian Law and on the policies and good practices to be applied during the conduct of hostilities in populated areas to protect civilians and civilian objects.

- 3.3 Ensure that our armed forces adopt and implement a range of policies and practices to help avoid civilian harm, including by restricting or refraining as appropriate from the use of explosive weapons in populated areas, when their use may be expected to cause harm to civilians or civilian objects.
- 3.4 Ensure that our armed forces, including in their policies and practices, take into account the direct and indirect effects on civilians and civilian objects which can reasonably be foreseen in the planning of military operations and the execution of attacks in populated areas, and conduct damage assessments, to the degree feasible, and identify lessons learned.
- 3.5 Ensure the marking, clearance, and removal or destruction of explosive remnants of war as soon as feasible after the end of active hostilities in accordance with our obligations under applicable international law, and support the provision of risk education.
- 3.6 Facilitate the dissemination and understanding of International Humanitarian Law and promote its respect and implementation by all parties to armed conflict, including by non-State armed groups.

SECTION 4

- 4.1 Strengthen international cooperation and assistance among armed forces, and other relevant stakeholders, including in the context of partnered military operations, with respect to exchanges of technical and tactical expertise, and humanitarian impact assessments, in order to develop good policies and practices to enhance the protection of civilians, particularly with regard to the use of explosive weapons in populated areas.
- 4.2 Collect, share, and make publicly available disaggregated data on the direct and indirect effects on civilians and civilian objects of military operations involving the use of explosive weapons in populated areas, where feasible and appropriate.
- 4.3 Facilitate the work of the United Nations, the ICRC and relevant civil society organisations collecting data on the impact on civilians of military operations involving the use of explosive weapons in populated areas, as appropriate.
- 4.4 Facilitate rapid, safe, and unhindered humanitarian access to those in need in situations of armed conflict in accordance with applicable international law, including International Humanitarian Law.
- 4.5 Provide, facilitate, or support assistance to victims - people injured, survivors, families of people killed or injured - as well as communities affected by armed conflict. Adopt a holistic, integrated, gender-sensitive, and non-discriminatory approach to such assistance, taking into account the rights of persons with disabilities, and supporting post-conflict recovery and durable solutions.

- 4.6 Facilitate the work of the United Nations, the ICRC, other relevant international organisations and civil society organisations aimed at protecting and assisting civilian populations and addressing the direct and indirect humanitarian impact arising from the use of explosive weapons in populated areas, as appropriate.
- 4.7 Meet on a regular basis to review in a collaborative spirit the implementation of this Declaration and identify any relevant additional measures that may need to be taken. These meetings could include the exchange and compilation of good policies and practices and an exchange of views on emerging concepts and terminology. The United Nations, the ICRC, other relevant international organisations and civil society organisations may participate in these meetings. We encourage further work, including structured intergovernmental and military-to-military exchanges, which may help to inform meetings on this Declaration.
- 4.8 Actively promote this Declaration, distribute it to all relevant stakeholders, pursue its adoption and effective implementation by the greatest possible number of States, and seek adherence to its commitments by all parties to armed conflict, including non-State armed groups.

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